

10.09.2020

6

b.das

**CRM 6036 of 2020**  
**IA No. CRAN/1/2020 (Old. No.CRAN 4490 of 2020)**  
**(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 439 of the Code of Criminal Procedure in connection with Belur P.S. Case No.01 of 2018 dated 01.01.2018 under Sections 376/120B/34 of the Indian Penal Code and Section 6/8/12 of the POCSO Act. 2012.

And

In the matter of: Md. Sakil @ Sahil @ Chotka @ Bablu

....Petitioner.

Md. Tanweer Alam

...for the Petitioner.

Mr. Swapan Banerjee

Ms. Purnima Ghosh

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within a month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The application being IA No. CRAN/1/2020 (Old. No.CRAN 4490 of 2020) is disposed of.

The petitioner is in custody for 959 days.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that the co-accused similarly circumstanced with the petitioner had been granted bail and in view of the protracted period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten thousand only) with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Special Judge, POCSO Act, Howrah subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

CRM 6036 of 2020 is disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

**(Suvra Ghosh, J.)**

**(Joymalya Bagchi, J.)**