

15.10.2020
SL No.20
AP

CRM 7863 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bhaktinagar** P.S. Case No.**509 of 2019** dated **16.07.2019** under Section **6** of the POCSO Act.

And

In the matter of: **Jagannath Singh**

....Petitioner.

Mr. A. Banerjee,
Ms. Madhushri Dutta Majumder

...for the Petitioner.

Mr. Ujjal Luksam,
Mr. Sagnik Sikdar

...for the State.

It is submitted on behalf of the petitioner that there was a love affair between the parties. The petitioner renews his prayer for bail and submits that there is hardly any progress in the matter since the last rejection of bail by this court.

Learned lawyer for the State opposes the prayer for bail and submits that the prayer for bail was rejected earlier.

Having considered the materials on record and bearing in mind the protracted period of detention already suffered by the petitioner and as charge has not been framed as yet and there is very slow progress in the matter before the trial court, we are inclined to grant bail to the petitioner subject to strict conditions.

Let the petitioner be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court under POCSO Act, Jalpaiguri subject to the condition that during bail the petitioner shall appear before the learned trial court regularly till disposal of the trial and the petitioner shall not intimidate witnesses or tamper with evidence in any manner

whatsoever and on further condition that the petitioner while on bail shall not enter the jurisdiction of Bhaktinagar Police Station until further orders except for the purposes of investigation and/or for attending the court proceedings and shall provide the address where the petitioner shall presently reside to the Investigating Agency as well as the Court below and shall report to the Officer-in-Charge of the concerned police station within whose jurisdiction the petitioner shall presently reside once in a week until further orders.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, disposed of.

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

(Subhasis Dasgupta, J.)

(Joymalya Bagchi, J.)