

24.12.2020
Court No.28
SL No.33
AP

CRM 8308 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Santipur** P.S. Case No.**662 of 2019** dated **13.11.2019** under Section **4** of the POCSO Act.

And

In the matter of: **Sona Biswas**

....Petitioner.

Mr. Biash Ranjan Bhattacharyya, Senior Advocate,
Ms. Santi Das,
Mr. Firdous Samim
Ms. Gopa Biswas

... for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy

...for the State.

It is submitted on behalf of the petitioner that he is in custody for about 370 days and he prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the victim girl. Keeping in mind the facts and circumstances of the case and in view of the protracted period of detention suffered by the petitioner and as there is little possibility of the trial concluding in the near future, 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, Ranaghat, Nadia, subject to the condition that while on 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 Shantipur 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, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)