

26.11.2020

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Allowed

C.R.M. 8865 of 2020
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with A.J.C. Bose Road, B. Garden Police Station Case No. 111 of 2018 dated 17.05.2018 under Sections 363/365 of the Indian Penal Code and adding Section 376 of the Indian Penal Code and Sections 4 and 8 of POCSO Act.

And

In Re : Nishant Ranjan Singh @ Nishant Ranjan petitioner

Ms. Sadhana Bhattacharjee
.....for the petitioner

Mr. S. G. Mukherjee, learned P.P.
Mr. P. P. Das,
Mrs. Manasi Roy
....for the State

Victim has already been examined.

Report has been filed by the learned Counsel appearing on behalf of the State.

Examination of the other witnesses are awaited.

Keeping in mind the protracted period of detention suffered by the petitioner i.e. over three years and in view of the fact that vulnerable witness has already been examined and in the light of the facts and circumstances of the case, 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/- 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, 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 fails 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.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)