

24.11.2020

Sl. No.20

Court No.12

BM

CRM 8949 of 2020

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Kakdwip Police Station Case No.74 of 2019 dated 13.04.2019 in Sessions Trial Case No.32(8) of 2019 arising out of POCSO No.17 of 2019, under Sections 363/366 of the Indian Penal Code.

And

In the matter of : Satyajit Dey

... Petitioner

Ms. Anjan Bhattacharyya

Mr. Partha Sarathi Mondal

... for the petitioner

Ms. Sukanya Bhattacharyya

Mr. Md. Kutubuddin

... for the State

This is an application for bail. The petitioner is in custody for over 589 days. The charge sheet was filed on 17th May, 2019 and there has been no substantial progress in the matter.

Having considered the materials on record and the statement of the victim under Section 164 of the Code of Criminal Procedure and the length of detention suffered by the petitioner and also having regard to the fact that trial is not likely to be concluded immediately, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner is directed to be released on bail.

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 each, one of whom shall be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Kakdwip, subject to condition that the petitioner shall

appear before the learned trial court regularly till disposal of the trial and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

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 petitioner shall not enter the jurisdiction of the Kakdwip Police Station except for the purpose of meeting the investigating officer and attending the court.

We have been informed that the matter is fixed for evidence. The petitioner shall attend the Court regularly on each and every occasion unless prevented by sufficient cause and also meet the investigating officer once in a week until further order.

The petitioner shall share his address with the investigating officer of Kakdwip Police Station as well as Police Station within whose jurisdiction he shall reside.

The aforesaid order shall be subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

The application for bail being CRM 8949 of 2020 is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Soumen Sen , J.)

(Saugata Bhattacharyya, J.)