

17.12.2020.
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as
(Allowed)

C.R.M. 9755 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dinhata Women P. S. Case No.50 of 2020 dated 07.07.2020 under Sections 506/109 of the Indian Penal Code and Sections 4/17 of the POCSO Act.

In the matter of : Binay Barman.

.... Petitioner.

Mr. Anindya Ghosh,
Mr. Sudip Guha.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty,
Mr. Sagnik Shankar Sikdar.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is not the principal accused. He is in custody for about 506 days.

Learned Advocate appearing for the State opposes the prayer for bail.

In view of the extent of complicity of the petitioner in the alleged crime and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, 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 the POCSO Act, Dinhata, Cooch Behar subject to condition that the petitioner

shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any 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, being C.R.M. 9755 of 2020, is disposed of.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)