

23.12.2020
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Sdas
allowed

CRM 10030 of 2020
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Matelli Police Station Case No. 173 of 2018 dated 28.11.2018 under Sections 4/17 of the POCSO Act read with Section 376(3) of the Indian Penal Code.

And

In Re : Labib Hossain petitioner

Mr. Arnab Saha

.....for the petitioner

Mr. N. Ahmed, learned A.P.P.

..... for the State

Evidence of the victim girl is placed on record.

Victim girl has been examined. She has not spoken of rape.

In view of the aforesaid development and nature of allegations, 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, Jalpaiguri, 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.)