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CRM 661 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station case No. 455 of 2020 dated 13.10.2020 under Section 354C/323/506 of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act.

In the matter of : Swapan Debnath

.... Petitioner

Mr. Ankit Agarwal,

Ms. Roma Roy,

Mr. Subir Debnath

.... For the petitioner

Mr. Pradipta Ganguly

..... for the State

Allegation against the petitioner is that he climbed up to a tree standing adjacent to the wash room of the victim and saw her while she was taking bath. Therefore, charge sheet has been filed against him under Section 354C along with other penal provisions of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act (POCSO Act) .

Considering the fact that charge sheet has already been submitted in this case and nature of offence allegedly committed by the petitioner, I am inclined to release him on bail. The petitioner is granted bail of Rs. 10,000/- with two sureties of like amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat with further condition that if on bail he will not enter into the jurisdiction of the Police Station where the victim resides and file an affidavit stating his

present residential address before the trial Court. He is further directed to appear before the Court on all dates of trial, failing which the bail granted to the petitioner shall be cancelled without further reference to this Bench.

CRM 661 of 2021 is, thus , disposed of.

(Bibek Chaudhuri, J.)