

(Via Video Conference)

CRM 3288 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Sonarpur Police Station** Case No. **651 of 2018** dated **29.04.2018** under Sections **363/365/376/417** of the Indian Penal Code and Section 6 of the POCSO Act.

- A n d -

In the matter of : Subhobrata Das @ Subho.

.... Petitioner.

Mr. A. Chakraborty,
Mr. S. S. Saha

... For the Petitioner.

Mr. Saswata Gopal Mukherjee, learned PP,
Mr. P. P. Das,
Mrs. M. Roy,

... For the State.

The allegation against the petitioner is under Sections 363/365/376/417 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

We have seen the material in the case diary. We have also seen the deposition of the victim girl recorded before the learned Trial Court. It appears that the victim girl on her own accompanied the petitioner and later returned to her parents fearing that the parents would admonish her. The trial is in progress. We do not think that further detention of the petitioner is necessary.

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, Baruipur, South 24 Parganas, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. 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 adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)