

29.09.2021
Ct No. 35
D/L 3
ab

C.R.M. 4660 of 2021
(Via Video Conference)

Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973, filed in connection with Dholahat Police Station Case No. 377 of 2019 dated 15.10.2019 under Sections 376(AB)/506 of the Indian Penal Code, 1860, and under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

In Re: **Yunuch Molla @ Yunus,**

... petitioner

Ms. Malabika Roy De,

... for the petitioner

Ms. Sukanya Bhattacharya,

.... for the State

It appears that the charge sheet has been submitted in this case under Section 10 of the Protection of Children from Sexual Offences Act, 2012.

Having regard to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973 and in view of the prolonged detention of the petitioner for about two years, I am of the opinion that the petitioner need not be in custody any further. Accordingly, the prayer for bail is allowed.

The petitioner, namely, **Yunuch Molla @ Yunus**, shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the learned Additional Sessions Judge, 1st Court & Special Court under POCSO Act, Kakdwip, South 24 Parganas, with further condition that the petitioner shall not be leave the

jurisdiction of the local police without permission from the Officer-in-Charge of the said police station, he will not influence the witnesses and/or tamper with evidence, and with a further condition that he shall attend day to day trial before the learned Judge in the Court below.

In the event the petitioner fails to appear before the trial Court without any justifiable cause, the learned Judge in the Court below will be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail being **CRM 4660 of 2021** is, thus, disposed of.

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

(Kausik Chanda, J.)