

09.12.2021
Sl. No.92
akd
[ALLOWED]

C. R. M. 5696 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.08.2021 in connection with Kaliyaganj Police Station Case No. 523 of 2020 dated 30.12.2020 under Sections 376(2)(i)(j)(n)/511 of the Indian Penal Code read with Sections 8/9/12 of the POCSO Act.

And

In Re: **Manik Ray @ Manik Roy**

... .. Petitioner

Mr. Somnath Banerjee
Mr. Pronojit Roy

... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 344 days. It is further submitted that the petitioner has been falsely implicated in the instant case.

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

Having considered the facts and circumstances of the case and in view of the period of detention suffered by him, we are of the opinion that further detention of the accused/petitioner is not necessary and he may be enlarged on bail however, subject to strict conditions.

Therefore, the accused/petitioner, namely **Manik Ray @ Manik Roy**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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, Raiganj, Uttar Dinajpur subject to condition that the said 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 or commit similar offences in future and on further condition that the petitioner, while on bail, shall not enter the jurisdiction of Kaliyaganj Police Station until further orders except for the purpose of investigation and/or for attending court proceedings and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the concerned police station within whose jurisdiction he shall presently reside once in a week until further orders.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)