

10.12.2021
tkm/ct 28
sl no. 102

C.R.M. 6877 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kultali P.S case no. 411 of 2020 dated 28.9.2020 under sections 376 of the Indian Penal Code and section 6 of the POSO Act and charge sheet filed under section 376(3) IPC and section 4 of the POCSO Act

And

Allowed

In Re : Pravash Das

..... petitioner

Mr. Angshuman Chakraborty

..... for the petitioner

Mr. Debabrata Chatterjee

Ms. Manasi Roy

..... for the State

Report is placed on record wherefrom it appears that the victim had committed suicide. No charge under section 306 IPC has been added in the present case. Victim was the principal witness and had not been examined before she expired.

In view of the aforesaid facts and the period of detention suffered by the petitioner i.e. over one year, we are inclined to grant bail to petitioner.

Accordingly, the petitioner 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 ACJM, Baruipur, South 24 Parganas on condition that he 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.

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 being CRM 6877 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)