

02.11.2021  
ns / RP  
Court  
No.8

**C.R.M. 6947 of 2021**

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Tehatta P.S. Case No.472 / 2021 dated 18.09.2021 under sections 363/365/34 of Indian Penal Code read with Section 4 of POCSO Act, 2012.

And

**In the matter of : Subedh @ Sukhen Sardar**

**...Petitioner.**

Mr. Atis Kumar Biswas,  
Mr. Amit Singh ... for Petitioner.

Mr. Rana Mukherjee,  
Mr. Pravas Bhattacharya ...for State.

The petitioner is the uncle with whom the victim girl was staying. The victim in her statement under Section 164 of the Code of Criminal Procedure has deposed that she has left with the main accused, Pradip on her own.

It does not appear to this Court that the uncle in any way facilitated or took active participation in the action committed by the principal accused against the victim.

In that view of the matter, the petitioner shall be enlarged on bail.

Petitioner, Subedh @ Sukhen Sardar, shall be released on bail upon furnishing a bond of Rs.5,000/- (Rupees Five Thousand)

with two sureties of Rs.2,500/- each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court under POCSO Act at Tehatta, Nadia subject to the condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the State shall be at liberty to pray for cancellation of his bail.

C.R.M. 6947 of 2021 is allowed.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

**(Rajasekhar Mantha , J.)**

**(Kesang Doma Bhutia, J.)**