

**C.R.M. 7020 of 2021
(Via Video Conference)**

3 28-10-2021

BR/sg Court 6

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ashoknagar Police Station Case No. 517 of 2021 dated 16.07.2021 under sections 354 of the Indian Penal Code and Section 8 of the POCSO Act.

Sankar Ballav
Versus
State of West Bengal

Allowed

Mr. Sourav Chatterjee, Adv.
Ms. Subhasree Patel, Adv.
Mr. Soumya Nag, Adv.
Ms. Saini Das, Adv.

...for the petitioner.

Mr. Swapan Banerjee, PP-in-charge
Mr. Suman De, Adv.

...for the State.

The petitioner is in custody for 105 days. It is submitted on behalf of the petitioner that the petitioner has been running his computer school for more than 20 years. He is in custody for a considerable period of time. It is also submitted that since the charge-sheet has already been submitted, detention of the petitioner is not necessary.

The learned Counsel for the State refers to the case diary and opposes the prayer for bail.

The petitioner is custody for about 105 days. Charge-sheet has been submitted. The victim girl appears to have refused medical examination.

Having considered the material available in the case diary including the statement of the witnesses recorded under sections 161/164 of the Code of Criminal Procedure and also the period of detention of the petitioner, I am inclined to hold that further detention of the petitioner may not be necessary and he may be granted bail.

Accordingly, I direct that the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of equal amount, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Barasat, on condition that the petitioner shall not

intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

In the event of failure to comply with the conditions, the trial court shall be at liberty to cancel his bail without further reference to this Court.

The application for bail being CRM 7020 of 2021 is, accordingly, allowed.

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

(Suvra Ghosh, J.)