

25.11.2021

589

Ct. No. 29

KAUSHIK

Allowed

C.R.M. 7525 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Murarai** Police Station Case No. **90** of **2020** dated **20.09.2020** under Sections 376(3)/305 of the Indian Penal Code, 1860 and under Sections 4/6/8/10/12 of the Protection of Children from Sexual Offences Act.

And

In Re : Utpal Mondal

..... petitioner

Mr. Sabir Ahmed

Md. Kutubuddin

.....for the petitioner

Ms. Sreeparna Das

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner draws the attention of the Court to the post mortem report and the statement recorded by the doctor. He submits that the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the contents of the case diary.

Considering the materials in the case diary, the statement of the doctor and the post mortem report and considering the fact that the police filed charge-sheet and considering the period of detention of the petitioner, we grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be 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 Judge, Special Cout under POCSO Act, Rampurhat, Birbhum**, 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 the witnesses and/or tamper with evidence in any manner whatsoever.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)