

06.12.2021
tkm/ct 28
sl no. 66

C.R.M. 7881 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Santiniketan P.S Case no. 66 of 2021 dated 4.5.2021 under sections 341/506/34 of the IPC and section 8/12 of the POCSO Act

And

Allowed

In Re : Robin Gupta

..... petitioner

Mr. Somnath Chatterjee

Mr. P Roy

..... for the petitioner

Mr. B K Roy

Ms. Rita Datta

..... for the State

Petitioner is in custody for more than 216 days and it is submitted that he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail.

We note in spite of protracted period of detention, trial has not commenced.

In view of the aforesaid fact, we are inclined to grant bail to the petitioner, however, subject to strict conditions.

Accordingly, the petitioner 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 ACJM, Bolpur on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall reside outside the jurisdiction of Santiniketan P.S except for the purpose of attending court proceeding and shall provide address where he shall presently reside to the investigating officer as well as to the court

below and shall report to the officer in charge of the concerned P.S 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 being CRM 7881 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)