

20.12.2021
tkm/ct 28
sl no. 125

C.R.M. 8261 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Harischandrapur P.S case no. 781 of 2016 under sections 363/365/366A/109 of the Indian Penal Code read with section 6 of the POCSO Act
and

Allowed

In Re : Abdul Kafi @ Kafi petitioner

Mr. Tapan Datta Gupta
Mr. P Anam

..... for the petitioner

Ms. Z N Khan
Ms. M Mitra

..... for the State

Petitioner renews his prayer for bail and submits that he is in custody for 174 days.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner had absconded for a period of time.

Having considered the materials on record and bearing in mind the nature of allegations and the extent of complicity of the petitioner in the alleged crime and as there is little progress in the matter since the rejection of bail by this court, we are inclined to grant bail to petitioner.

Accordingly, 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 CJM, Malda 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 8261 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)