

84 02.02.2022
AD Ct. No.29
(Allowed)

C.R.M. (DB) 232 of 2022
(Via video conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **POCSO Case No.5(2)/2021** arising out of **Hanskhali** P.S. Case No. **497 of 2020** dated **01/10/2020** under Sections **376(3)** of the Indian Penal Code, 1860 and Section **6** of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: Subrata Podder @ Subho

....petitioner.

Ms. Saananda Bhattacharyya

...for the petitioner.

Mr. Narayan Prasad Agarwala

Mr. Saryati Datta

...for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody in excess of one year three months. She refers to the depositions of the victim and the de facto complainant.

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

Considering the period of detention of the petitioner and considering the depositions of prosecution witnesses, we grant bail to the petitioner.

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 Special Judge under POCSO Act, Ranaghat, Nadia subject to the condition that during bail he shall appear before the learned trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the

bail without any further reference to this Court.

The application for bail being **C.R.M. (DB) 232 of 2022** is,
thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)