

01.02.2022
Serial no. 109
Dd

(Through Video Conference)

CRM(DB) 293 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Nischinda** Police Station Case No. **75 of 2021** dated **21.04.2021** under **Sections 376(3)** of the Indian Penal Code and Section **6** of the Protection of Children from sexual Offences Act giving rise to Misc. Case no. 2621 of 2021 relating to SPI. T.R. 55/2021.

-And-

In the matter of : Amit Das

...Petitioner

Mr. Amal Krishna Samanta, Advocate
... ... For the Petitioner

Mr. S.G. Mukherjee, Ld. PP
Ms. Faria Hossain
Ms. Sonali Das, Advocates
... ...For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in detention of 285 days. Police filed charge sheet.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Criminal Procedure of the victim. He highlights her age.

Considering the period of detention of the petitioner and the fact that police filed charge sheet, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like

amount each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court under POCSO Act cum Additional Sessions Judge, 2nd Court, Howrah subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is **allowed**.

CRM(DB) 293 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)