

CRM (DB) 577 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 22.02.2022 in connection with Hanskhali P.S. Case No. 834 of 2021 dated 16.12.2021 under Sections 448/376/120B of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of: Sudipto Bala

... ..Petitioner

Ms. Sananda Bhattacharyya, Advocate

... .. For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. PP

Mr. Partha Pratim Das, Advocate

Ms. Manasi Roy, Advocate

... ..For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the fact that the victim in a statement recorded under Section 164 of the Code of Criminal Procedure does not name the petitioner as the person involved in the incident and considering the period of detention of the petitioner and considering the fact that the 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 cum Additional District & Sessions Judge, Ranaghat, Nadia,

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) 577 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)