

CRM (DB) 790 of 2022

24.03.2022
Sl. 37
Court No.29
(sourav)
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **17.03.2022** in connection with **Sonarpur** Police Station Case No. **1080** of **2021** dated **27.12.2021** under Sections **448/354** of the Indian Penal Code and Section **8** of the POCSO Act.

And

In the matter of: **Biswajit Mondal**

....petitioner.

Mr. Tanmay Basu,
Mr. Prodip Mondal,

...for the petitioner.

Mr. Tanmay Kumar Ghosh,
Mr. Arindam Sen,

... for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 84 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required.

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

In her statement of the victim who is 16 years of age she states that the petitioner allegedly pulled her.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the period of detention of the petitioner and considering the fact that the police filed charge-sheet, 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 Judge, Special Court, POCSO Act, Baruipur, South 24 Parganas, 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 **CRM (DB) 790 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

