

22.04.2022

Serial no. 65

[Dd]

(Bail **allowed**)

CRM (DB) 1050 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Special ST 09/22** and **SPL 193/21** arising out of **Narendrapur** Police Station Case No. **1398** of **2021** dated **18.11.2021** under Sections **363/365** of the Indian Penal Code and charge sheet submitted under Sections **363/365/376(2)(n)** of the Indian Penal Code and Section **06** of the Protection of Children from Sexual Offences Act.

-And-

**In the matter of : Bishu Haldar alias Bihu Haldar alias
Bishu Halder**

... .. Petitioner

Mr. Angshuman Chakraborty, Advocate

... .. For the Petitioner

Mr. Swapan Banerjee,

Mr. Aninda Sunder Chatterjee, Advocates

... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 137 days. The police filed charge sheet and, therefore, further detention of the petitioner is not required.

The State is represented.

It appears from the materials available in the petition that the victim and her statement states that she was with a relationship with the petitioner.

Considering the period of detention of the petitioner and considering 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, POCSO Act, Baruipur, South 24-Parganas** 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 of the petitioner is **allowed**.

CRM (DB) 1050 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)