

18.05.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. (DB) 1296 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kulti** Police Station Case No. **387** of **2021** dated **05.08.2021** under Sections 3/4/5 of the I.T.P.A. Act, 1956 and under Sections 366A/366B/370/370A/373/120B of the Indian Penal Code and under Sections 4/6 of the POCSO Act and added Sections 6/7/9 of the I.T.P.A. Act, 1956 and added Section 17 of the POCSO Act.

And

In Re : Rahul Kumar

..... petitioner

Mr. Sk. Salim

.....for the petitioner

Mr. T. D. Nandy

Mr. A. Basu

....for the de-facto complainant

Mr. Bibaswan Bhattacharya

....for the State

Considering the fact that the claim for parity made on behalf of the petitioner is not being disputed on behalf of the State, we extend the same facility to the petitioner.

It is placed on record that the trial is in progress.

Accordingly, we direct that the petitioner shall 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) cum Additional District and Sessions Judge, 2nd Court, Asansol, Paschim Bardhaman**, subject to the condition that the petitioner shall appear before the trial court on every date of

hearing until further orders and shall not intimidate the 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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)