

07.06.2022.
12.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1330 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Amta P. S. Case No.95 of 2022 dated 06.04.2022 under Section 12 of the POCSO Act.

In the matter of : Gonesh Dolui.

.... Petitioner.

Mr. Sabir Ahmed,
Mr. Mujibar Ali Naskar,
Mr. Apan Saha.

...for the Petitioner.

Md. Anwar Hossain,
Ms. Sreyashee Biswas.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 40 days. It is submitted he has been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for bail and produces the Case Diary.

We have considered the materials on record and keeping in mind the facts and circumstances of the case and the period of detention suffered by the petitioner, we are of the opinion that further detention is not necessary and he may be granted bail.

Accordingly, 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 Additional Chief Judicial Magistrate, Uluberia, Howrah subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

The application, being **C.R.M. (DB) 1330 of 2022**, is disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)