

10.06.2022
tkm/ct 28
sl no. 42

C.R.M. (DB) 1530 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sonarpur P.S Case no. 601 of 2021 dated 27.7.2021 under sections 376/511/354/506 IPC and section 4 of the POPCSO Act

And

Allowed

In Re : Subir Kumar Maitra alias Habu alias Subir Mitra
..... petitioner

Mr. A Chakraborty
..... for the petitioner

Mr. Binay Panda
Ms. Puspita Saha
..... for the State

Petitioner is in custody for 272 days. It is submitted that there was a civil dispute between the parties and he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner and in view of the period of detention suffered by the petitioner i.e. 272 days, we are inclined to 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 under POCSO Act South 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 1530 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)