

15.06.2022.
85.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1740 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rahara P. S. Case No.445 of 2021 dated 22.12.2021 under Section 6 of the POCSO Act read with Section 66E/67/67A of the Information Technology Act and charge sheet submitted under Section 6 of POCSO Act.

In the matter of : Durgesh Singh @ Avishek Singh.
.... Petitioner.

Mr. Ayan Basu,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Rudradipta Nandy, ld. A.P.P.,
Ms. Eshita Dutta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 150 days. It is submitted there is delay in lodging first information report.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. No electronic evidence supporting the allegation of objectionable pictures of the victim being taken is placed before us.

Under such circumstances and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

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 Judge, Special Court under the POCSO Act, Barrackpore, North 24-Paraganas 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.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)