

17.06.2022
SL No.51
Saswata
Ct.28
(Allowed)

CRM (DB) 1823 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Tehatta** P.S. Case No. **93/2021** dated **25.02.2021** under Sections **376/511/323/506/34** of the **Indian Penal Code** and **Section 10** of the **POCSO Act**.

And

In the matter of: **Lalchand Mondal @ Nalu @ Lalu Mondal**

....Petitioner

Mr. Asraf Mandal

...for the Petitioner

Mr. Tanmoy Kumar Ghosh

Ms. Sonali Bhar

...for the State.

It is contended on behalf of the petitioner that he is in custody for 122 days and investigation is complete.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including statement of the victim. Balancing the gravity of offence against the period of detention suffered by the petitioner, i.e., 122 days and as investigation is complete, we are inclined to grant bail to the petitioner.

The prayer for bail is, thus, allowed.

Let 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, Tehatta Court, Nadia subject to the condition that he shall appear before the learned trial court regularly on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)