

21.06.2022
tkm/ct 28
sl no. 46

C.R.M. (DB) 1928 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Asansol (S) P.S case no. 533 of 2021 dated 18.12.2021 under section 417/493/376/323/448/506/34 IPC and sections 4/6 of the POCSO Act
And

Allowed

In Re : Bipul Bauri petitioner

Mr. A K Datta

..... for the petitioner

Md. Anwar Hossain
Ms. Ratna Ghosh

..... for the State

Petitioner is in custody for 193 days. It is submitted that he is not the principal accused.

Learned lawyer for the State opposes the prayer for bail and submits that petitioner and other accused persons had assaulted the victim girl which resulted in premature delivery.

We have considered materials on record including the injury report of the victim at page 19 of the case diary. Petitioner is not named in the injury report as the assailant.

Keeping in mind the extent of complicity of the petitioner in the alleged crime, period of detention suffered by the petitioner and as investigation is complete, 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, Asansol, Paschim Bardhaman 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) 1928 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)