

24.06.2022
Sl. No.23
akd
[ALLOWED]

C. R. M. (DB) 1957 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.06.2022 in connection with Labpur Police Station Case No. 69 of 2020 dated 20.03.2020 under Sections 363/365/120B of the Indian Penal Code and Sections 4/6 of the POCSO Act.

And

In Re: ***Goutam Dhibar***

... .. Petitioner

Mr. Sanjib Kumar Das
Mr. Saryati Datta

... .. for the petitioner

Mr. Joydeep Roy
Mrs. Sujata Das

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 45 days. It is further submitted petitioner is not the principal accused, who is presently in custody. It is also submitted co-accused viz. Srikanta Ghosh has been enlarged on bail by this court.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as co-accused viz. Srikanta Ghosh has been enlarged on bail by this court, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely ***Goutam Dhibar***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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, Bolpur, Birbhum subject to condition that the said 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 or commit similar offences in future.

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 for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)