

04.07.2022.
17.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2100 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Karimpur P. S. Case No.36 of 2022 dated 17.02.2022 under Sections 376/511 of the Indian Penal Code and Section 10 of POCSO Act.

In the matter of : Prokash Mondal.

.... Petitioner.

Mr. Satarup Purkasthya,
Mr. Amanul Islam,
Mr. Sourav Mukherjee.

...for the Petitioner.

Mr. Debabrata Chatterjee,
Mr. Pratik Bose,
Ms. Pramita Banerjee.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 140 days. He submits he has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Victim's mother refused medical examination of the minor child. Keeping in mind the aforesaid fact 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, Tehatta, Nadia 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.)