

06.07.2022  
tkm/ct 28  
sl no. 36

**C.R.M. (DB) 2134 of 2022**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gangnapur P.S Case no. 120 of 2022 dated 22.4.2022 under sections 341/323/325/354/354(B)/506/379/34 IPC read with section 8 of the POCSO Act

And

**Allowed**

In Re : Mohan Roy

..... petitioner

Ms. M Gomes

..... for the petitioner

Mr. B K Roy

Ms. Rita Datta

Md. Ziaur Rahaman

..... for the State

Petitioner is in custody for 74 days. It is submitted that there is case and counter case between the parties.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and keeping in mind the aforesaid facts and circumstances of the case particularly the fact that there is case and counter case between the parties and the period of detention suffered by the petitioner, 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 ACJM, Ranaghat, Nadia 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) 2134 of 2022 is disposed of.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**