

07.07.2022.
19.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2140 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Palashipara P. S. Case No.124 of 2022 dated 04.04.2022 under Sections 363/366/34 of the Indian Penal Code.

In the matter of : Abdul Razzak Mondal @ Raja.
.... Petitioner.

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

...for the Petitioner.

Mr. Atif Ahmmed Siddiqui,
Mr. Partha Sarathi Basu,
Md. Hafiz Ali.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 35 days. It is contended victim girl accompanied the petitioner out of her own will.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statement of the victim endorses the aforesaid fact. Under such circumstances and the prima facie involvement of the petitioner in the alleged crime, 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.)