

15.07.2022
Item No.34
Court No.28
CHC
Allowed

CRM (DB) 2335 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Jagacha Police Station Case No.127/2022 dated 23.03.2022 under Sections 363/365 of the Indian Penal Code and Sections 4/6 of the Protection of Children from Sexual Offences Act.

-And-

In the matter of : **Gurupada Maity**

... ... Petitioner

Mr. Amal Krishna Samanta, Advocate

... ... For the Petitioner

Ms. Faria Hossain, Advocate

Mr. Anand Keshari, Advocate

... ...For the State

Petitioner is in custody for 62 days. Investigation is complete.

Learned advocate for the State opposes the prayer for bail.

We have considered the materials on record including the statement of victim girl recorded under Section 164 Cr.P.C. and in the facts and circumstances of the case and period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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 Additional Sessions Judge, 2nd Court-cum-Special Court under POCSO Act, Howrah, subject to the condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/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 the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)