

26.07.2022.

26.

Ct.No.28

as

(Allowed).

C.R.M. (DB) 2450 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala P. S. Case No.418 of 2022 dated 11.06.2022 under Sections 376/417/506 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Abhishekh Biswas @ Abhisekh Biswas.
... Petitioner.

Ms. Sananda Bhattacharyya.
...for the Petitioner.

Mr. Debabrata Chatterjee, Id. A.P.P.,
Mr. Santanu Chatterjee,
Ms. Mousumi Sarkar.
.....for the State.

Heard the learned Advocates appearing for the parties.

Petitioner is in custody for about 46 days. It is submitted he has been falsely implicated in the instant case.

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

We have considered the materials on record particularly the statement of the minor victim which is exonerative in nature. In view of the aforesaid fact and the period of detention suffered by the petitioner and as investigation is complete, 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, to the satisfaction of the learned Judge,

Special Court under the POCSO Act, Ranaghat, Nadia subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimate 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.)