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August 8,
2022
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C.R.M. (SB) 189 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Santipur Police Station Case No.583/2022 dated 11.06.2022 under Sections 448/323/325/506/34 of the Indian Penal Code and 12 of Protection of Children from Sexual Offences Act and charge-sheet submitted being charge-sheet no.652/2022 dated 13.07.2022 under Sections 448/323/506/34 of the Indian Penal Code and 12 of Protection of Children from Sexual Offences Act;

Bappa Poddar
Versus
The State of West Bengal

Mr. Sagar Saha,
Mr. Subir Debnath,
Ms. Roma Roy.

...for the petitioner.

Mr. Bidyut Kumar Roy,
Ms. Rita Datta.

...for the State.

Mr. Sagar Saha, learned advocate appearing on behalf of the petitioner submits that the petitioner is in custody for 57 days and already the investigation of the case has been concluded. As such, further detention of the petitioner is unwarranted in the facts and circumstances of the case.

Mr. Bidyut Kumar Roy, learned advocate, appears on behalf of the State and produces the case diary. Learned advocate draws the attention of this Court to the statement of the witnesses under Section 161 of the Code of Criminal Procedure and the statement of the victim under Section 164 of the Code of Criminal Procedure.

On perusal of the statement of the victim under Section

164 of the Code of Criminal Procedure as also the statement under Section 161 of the Code of Criminal Procedure of the witnesses, I am of the opinion that further detention of the petitioner is unwarranted in the facts and circumstances of the case. As such, the prayer for bail of the petitioner is allowed.

Accordingly, the petitioner, namely, Bappa Poddar, shall be released on bail upon furnishing 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 District and Sessions Judge, Ranaghat, Nadia.

If on bail, the petitioner shall attend each and every date physically before the court and no application under Section 317 of the Code of Criminal Procedure or Section 205 of the Code of Criminal Procedure would be accepted by the court for the next six months.

With the aforesaid observations, CRM (SB) 189 of 2022 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)