

22.08.2022
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allowed

CRM(DB) No. 2800 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Women Police Station Case No. 9 of 2022 dated 29.01.2022 under Section 4 of the POCSO Act.

And

In Re : Bomkesh Bhattacharyya @ Bomkesh Mondal petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder
.....for the petitioner

Mr. Narayan Prasad Agarwalla
Mrs. Subhasree Patel
..... for the State

Learned Counsel for the petitioner submits he is in custody for 204 days. It is also submitted that he has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered evidence of the minor and her mother. They do not support the prosecution case. In view of aforesaid circumstances, we are inclined in granting bail to him.

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 District and Sessions Judge, Ranaghat, Nadia, on condition that he shall not intimidate the witnesses or tamper with evidence in

any manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)