

26.08.2022.
15.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2864 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Habra P. S. Case No.456 of 2022 dated 14.05.2022 under Sections 376(2)(n)/376(D)/313/328/292A/506/120B of the Indian Penal Code and Sections 4/6 of the POCSO Act and Sections 9/10 of Prohibition of Child Marriage Act.

In the matter of : Balaram Bala & Ors.

.... Petitioners.

Mr. Soumik Ganguly,
Mr. Nimai Roy,
Mr. Ronit Mukherjee,
Mr. Najmul Touhid.

...for the Petitioners.

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioners are in custody for about 105 days. They are not the principal accused. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioners are not the principal accused. Investigation is complete.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioners, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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, Barasat, North 24-Paraganas subject to condition that they 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 petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their 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.)