

29.08.2022
Sl. No.35
akd
[ALLOWED]

C. R. M. (DB) 2901 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.08.2022 in connection with Labpur Police Station Case No.69 of 2020 dated 20.03.2020 under Sections 363/365/120B of the Indian Penal Code and Sections 4/6 of the POCSO Act. (G.R. Case No.264 of 2020)

And

In Re: **Hemanta Ghosh**

... .. Petitioner

Mr. Robiul Islam
Mr. K. M. Hossain
Mr. Raju Mondal
Ms. Keya Sutradhar

... .. for the petitioner

Mr. Tanmay Kr. Ghosh
Mr. Arindam Sen

... .. for the State

It is submitted on behalf of the petitioner that he is not the principal accused. Co-accuseds have been enlarged on bail.

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

We have considered the materials on record. Petitioner is not the principal accused. Co-accuseds similarly circumstanced with the petitioner have been enlarged on bail. Under such circumstances, we are inclined to enlarge the petitioner on bail.

Therefore, the accused/petitioner, namely **Hemanta Ghosh**, 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, Bolpur, Birbhum-cum-Judge, Special Court under the POCSO Act subject to condition that the said petitioner 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 or commit similar offences in future.

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 automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)