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(Allowed)

C.R.M. (DB) 2948 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda P. S. Case No.25 of 2022 dated 06.02.2022 under Sections 448/354(A)(3)/354/506 of the Indian Penal Code and Sections 8/12 of the POCSO Act.

In the matter of : Shishnabi Mondal.

.... Petitioner.

Mr. Jisan Iqubal Hossain,
Mr. Rohit Prasad.

...for the Petitioner.

Mr. Joydeep Roy,
Ms. Sujata Das.

...for the State.

Petitioner is in custody since 12.2.2022. He submits he has been falsely implicated in the instant case. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Keeping in mind the nature of accusation in light of the submission on behalf of the petitioner there is possibility of false implication and the period of detention suffered by him, we are of the opinion further detention is not necessary and he may be granted bail, however, subject to strict conditions.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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, Berhampore, Murshidabad subject to condition that the

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 and on further condition that the petitioners while on bail shall not enter the jurisdiction of Nowda Police Station except for the purposes of investigation and/or attending court proceeding and shall provide the address where he shall reside while on bail to the Investigating Officer as well as the court below and report to the Officer-in-charge of the concerned Police Station within whose jurisdiction he shall reside once in a week until further orders.

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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)