

06.09.2022.
21.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3012 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tiljala P. S. Case No.62 of 2022 dated 21.03.2022 under Sections 363/376(2)(i) of the Indian Penal Code and Sections 6/17 of the POCSO Act and charge sheet submitted under Sections 363/376(2)(n)/506 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Rajjak Mondal.

.... Petitioner.

Mr. Ayan Basu
Mr. Sandip Kr. Mondal,
Mr. Sumit Routh.

...for the Petitioner.

Ms. Zareen N. Khan,
Md. Kutubuddin.

...for the State.

Petitioner is not the principal accused. He is in custody for 154 days.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the victim girl. Whether the victim girl was abused by the petitioner requires to be assessed during trial. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as he does not appear to be the principal accused, we are inclined to grant bail to the petitioner.

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, Alipore, South 24-Paraganas subject to condition that he 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 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.

This application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)