

08.09.2022
as/ct 28
sl no. 33

C.R.M. (DB) 3054 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Sankrail P.S case no. 257 of 2022 dated 9.3.2022 under sections 376/363/365/354B/506/120B/34 the IPC read with section 4 of the DP Act
and

Allowed

In Re : Asish @ Ashis Hazra

..... petitioner

Mr. Mrityunjoy Chatterjee
Md. G N Imrohi
Md. S Biswas

..... for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

..... for the State

Petitioner is in custody for six months. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record. There was a love affair between the parties. Petitioner cohabited with the victim. Subsequently victim refused to marry him and petitioner circulated her objectionable pictures.

Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the petitioner is not necessary and he may be granted bail.

Accordingly, the petitioner 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 POCSO Act, Howrah on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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 being CRM (DB) 3054 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)