

13.09.2022.
20.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3092 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalangi P. S. Case No.204 of 2022 dated 17.06.2022 under Sections 323/506 of the Indian Penal Code and Sections 10/17 of the POCSO Act and adding Section 4 of the POCSO Act.

In the matter of : Ujjwal Mondal @ Ujjal Mandal.
.... Petitioner.

Mr. Jisan Iqubal Hossain.
...for the Petitioner.

Mr. S. S. Imam,
Mr. S. Kundu.
...for the State.

Petitioner is the husband of the victim lady. It is contended he is not the principal accused. He is in custody for 88 days. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits that the victim lady was a minor and had been violated by her father-in-law.

We have considered the materials on record including the statement of the victim lady. Petitioner does not appear to be the principal accused. In view of the extent of complicity of the petitioner and the period of detention suffered by him, we are inclined to grant bail to the petitioner.

Accordingly, the petitioners 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 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.)