

29.09.2022
S/L No.2
KS

C.R.M.(SB) 218 of 2022
Sri Amit Das @ Amit Kumar Das
-Vs.-
The State of West Bengal & Anr.

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Panskura** P.S. Case No.**586 of 2021** dated **04.12.2021** under **Sections 354A(i)** of the Indian Penal Code and under Sections 8/12 of the POCSO Act.

Mr. Pawan Kumar Gupta

Ms. Sofia Nesar

Mr. Somnath Roy

..... For the Petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

.....For the State

Mr. Gupta, learned advocate appearing for the petitioner submits that the victim has already been examined and the petitioner is in custody for about 280 days. According to the learned advocate having regard to the nature of the deposition which has surfaced, further detention of the petitioner is unwarranted.

Mr. Ghosh, learned advocate appearing for the State submits that according to the materials appearing in the Case Diary, petitioner was thickly connected with the offence and as the trial has already commenced, there is every chance of further progress being jeopardized, in case the petitioner is released on bail.

I have considered the materials in the Case Diary which includes the statement of the victim under Section 164 of the Code of Criminal Procedure as well as the deposition of the victim before the Court and on

an appreciation of the materials so available and without discussing the veracity of the evidence, I am of the opinion that at this stage the petitioner may be released on bail.

Thus, the prayer for bail is allowed.

Accordingly, the petitioner shall furnish 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 District and Sessions Judge, 2nd Court, Tamulk, Purba Medinipur. If on bail, the petitioner shall once in a fortnight attend the learned Trial Court until further orders. Petitioner shall also inform his residential address and in case there is any change in address of the petitioner should be immediately informed to the learned Trial Court. The petitioner will not involve himself in any manner so that the evidence of the present case is jeopardized.

With the aforesaid directions, **C.R.M.(SB) 218 of 2022** is disposed of.

Photostat copy of the evidence of the victim be kept with the record.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Tirthankar Ghosh, J.)