

23.11.2022  
SI. No.28  
akd  
[ALLOWED]

**C. R. M. (DB) 3896 of 2022**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.09.2022 in connection with Hanskhali Police Station Case No. 424 of 2022 dated 05.05.2022 under Section 4 of the POCSO Act.

And

In Re: **Krishna Sarkar**

... .. Petitioner

Ms. Minoti Gomes

... .. for the petitioner

Mr. Arijit Ganguly  
Mr. Avik Ghatak

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for more than 200 days. It is further submitted the vulnerable witness has already been examined.

Report is placed on record. It appears from the report victim has been intimated with regard to pendency of the proceeding.

Learned advocate appearing for the State produces the case diary.

We have considered the materials on record. Victim girl has already been examined. We have also gone through her evidence. In view of the aforesaid circumstances and period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Krishna Sarkar**, be released on bail upon furnishing 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 Judge, Special Court under the POCSO Act, Ranaghat, Nadia subject to condition that the said 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.

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 for bail, thus, stands **allowed**.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**