

10.11.2022.
22.
as
(Allowed)

C.R.M. (DB) 3423 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Contai Women P. S. Case No.67 of 2018 dated 29.10.2018 under Sections 376(3)/506/34 of the Indian Penal Code.

In the matter of : Sk. Ainuddin.

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mr. Subrata Roy.

...for the State.

Heard the learned Advocates for the parties.

Report is placed on record. From the DNA report, it shows that the petitioner is not the biological father of the child.

In view of the aforesaid development and the nature of accusation, we are of the view further detention of the petitioner may not be necessary and he may be released on bail.

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, Contai, Purba Medinipur 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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)