

28.09.2022.
77. SL
as
(Allowed)

C.R.M. (DB) 3345 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Manikchak P. S. Case No.51 of 2022 dated 07.02.2022 under 6 of the POCSO Act.

In the matter of : Ananda Saha.

.... Petitioner.

Mr. A. Karmakar,
Mr. A. K. Bhowmick.

...for the Petitioner.

Mr. T. Kr. Ghosh,
Ms. Sonali Bhar.

...for the State.

Petitioner is in custody for 210 days. It is submitted he is not the principal accused. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the minor victim wherefrom it appears petitioner is not the principal accused.

In view of the extent of complicity of the petitioner in the alleged crime and the period of detention suffered by him, we are inclined to grant bail to the petitioner.

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 Chief Judicial Magistrate, Malda at 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.)