

29.09.2022

dd/ct 28

sl no. **89**

C.R.M. (DB) 3405 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Berhampore** P.S case no. **322 of 2020** dated **02.04.2020** under sections **341/354/427/506/341** of the IPC and **8/12** POCSO Act (corresponding to Special Case no. **36/2020**)
and

Allowed

In Re : **Kalu Chowdhury @ Kanu Chowdhury**
..... petitioner

Mr. A. A. Alamgir,
Ms. Rabia Khatoon,

..... for the petitioner

Mr. Arijit Ganguly,
Mr. Avik Ghatak,

..... for the State

Petitioner is in custody for 38 days. He submits that he is not the principal accused. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. The petitioner is not the principal accused.

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

Accordingly, the petitioner 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 POCSO Act, Berhampore, Murshidabad on condition that the petitioner shall appear before the trial court on every date of hearing 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 being **C.R.M. (DB) 3405 of 2022** is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)