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10.11.2022
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C.R.M. (SB) 269 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Nakashipara Police Station Case No.522 of 2022 dated 08.07.2022 under Section 10 of the Protection of Children from Sexual Offence 2012;

Rajib Pal @ Paul
Versus
The State of West Bengal and another

Mr. Arindam Jana,
Mr. Sumanta Das.
...for the petitioner.

Mr. Rudradipta Nandy,
Ms. Purnima Ghosh.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 125 days and the evidence of the victim girl is over. Learned advocate has drawn the attention of this Court to the evidence of the victim girl which has been enclosed along with the application for bail.

Mr. Rudradipta Nandy, learned advocate appearing for the State opposes the prayer for bail and draws the attention of this Court to the case diary, particularly, the statement of the victim girl under Section 164 of the Code of Criminal Procedure.

The trial of the case is in progress. As such, I do not intend to comment on merits of the evidence so deposed by the victim girl. However, having perused the same, I am of the view that further detention of the present petitioner is unwarranted. Thus, the prayer for bail of the petitioner is allowed.

Accordingly, the petitioner, namely, Rajib Pal @ Paul,

shall be released on bail upon furnishing 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 POCSO, Krishnagar, Nadia.

If on bail, the petitioner shall be physically present on each and every date when the evidence is recorded and shall not leave the jurisdiction of the district of Nadia and sub-division of Barrackpore without the leave of the learned Judge/trial court.

Accordingly, CRM (SB) 269 of 2022 is allowed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)