

03-11-2022
Subha
Item no.05
allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side

CRM (DB) 3671 of 2022

Sarojit Biswas alias Smrajit Biswas
-vs-
The State of West Bengal & Anr.

In Re: An application for bail under Section 439 of the code of Criminal Procedure, 1973 filed on 11th October, 2022 in connection with POCSO Trial No. 05(05)/2022 arising out of Santipur Police Station Case No. 155 of 2022 dated 19.02.2022 under Sections 354A/448/506(2) of the I.P.C read with Section 10 of the POCSO Act, 2012.

Mr. Mrintyunjoy Chatterjee
Mr. Susnigdho Bhattacharyya
Mr. Debapriya Majumder
...for the petitioner.

Mr. Narayan Prasad Agarwala
Ms. Janaki Saha
... for the State.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner is in custody for 265 days and the evidence of the victim has already been recorded.

Learned advocate for the petitioner relies upon the evidence of the victim. Certified copy of the same has been handed over to the court. Let it be kept with the record.

Mr. Agarwal, learned advocate appearing for the State on the other hand produces the case diary and draws the attention of the court to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure as well as the statement of the victim girl recorded before the police authorities and in the F.I.R.

On consideration of the evidence of the victim girl, I am of the

opinion that further detention of the petitioner is unwarranted in the facts and circumstances of the present case As such, prayer for bail of the present petitioner is allowed.

Accordingly, the petitioner shall furnish a bond of Rs.10,000/-(Rupees ten thousand only) with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the Learned Additional District & Sessions Judge Ranaghat, Nadia under the POCSO Act on the following conditions:-

While on bail, the petitioner would abide by the following conditions :-

1. The petitioner after being released shall meet with the Officer-in-Charge of Santipur Police Station once in a fortnight under further orders.
2. The petitioner shall be physically present on each and every date fixed by the trial court and shall not leave the jurisdiction of Santipur Police without the leave of the learned Special Court under the POCSO Act.

With the aforesaid observations, the application for bail being CRM (DB) 3671 of 2022 is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]

