

07.11.2022
tkm/ct 28
sl no. 77

C.R.M. (DB) 3883 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Harishchandrapur P.S case no. 563 of 2022 dated 9.7.2022 under section 6 of the POCSO Act
and

Allowed

In Re : Sajib Ali @ Sajik Ali

..... petitioner

Mr. Arnab Chatterjee
Mr. S Mukherjee
Ms. D Biswas

..... for the petitioner

Mr. B K Roy
Mrs. Mumkum Mitra

..... for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in an earlier case at the behest of the de facto complainant which had resulted in submission of final report on her exonerative statement. Subsequently, the present case has been registered.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. In the earlier case the victim made an exonerative statement. In the present case, there is no clarity as and when the subsequent event occurred.

Keeping in mind the aforesaid circumstance, 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-cum-Additional Sessions Judge, Chanchal, Malda 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 CRM (DB) 3883 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)