

01.12.2022
tkm/ct 28
sl no. 21

C.R.M. (DB) 4235 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chandannagar P.S case no. 197 of 2021 dated 6.9.2021 under sections 341/354B/376AB/506/34 IPC and sections 4/6 of the POCSO Act
and

Allowed

In Re : Tanmoy Pramanik

..... petitioner

Mr. Sourav Chatterjee

Ms. R P Devi

..... for the petitioner

Ms. Z N Khan

Mr. A Dewan

..... for the State

Petitioner is in custody for 261 days. It is submitted he has been falsely implicated in the instant case out of a matrimonial dispute. He has been acquitted of the charge of inflicting cruelty on his wife. He prays for bail.

Learned lawyer for the State opposes the prayer for bail. She submits victim is the daughter of the petitioner. She was six years old at the time of incident. Petitioner has criminal antecedents.

We have considered the materials on record. There is matrimonial dispute between the petitioner and his wife. Possibility of false implication on such score cannot be wholly ruled out.

Keeping in mind the aforesaid fact, we are inclined to grant bail to the petitioner, however, subject to strict conditions.

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 Additional Sessions Judge, Chandannagar 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 and on further condition that the petitioner while on bail shall not enter the district of Hooghly except for purpose of investigation and attending court proceeding and shall provide address where she shall presently reside to the investigating officer as well as to the court below and shall report to the officer in charge of the P.S concerned within whose jurisdiction he shall presently reside once in a week until further orders..

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) 4235 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)