

06.12.2022
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allowed

CRM(DB) No. 4306 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bankura Police Station Case No. 147 of 2021 dated 18.07.2021 under Sections 370(5)(7)/372/373/120B of the Indian Penal Code read with Sections 75/80/81 of the Juvenile Justice Act and charge-sheet submitted under Sections 370/342/343/120B/34 of the Indian Penal Code read with Sections 75/80/81 of the Juvenile Justice Act.

And

In Re : Satish Thakur & Anr. petitioners

Mr. Milon Mukherjee, Sr. Adv.
Mr. Sheo Shankar Sharma
.....for the petitioners

Mr. Rudradipta Nandy, learned APP
Mr. Subroto Roy
..... for the State

Learned Counsel appearing for the petitioners submits they are in custody for 500 days. They renew their prayer for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have gone through the evidence recorded till date. Nothing incriminating has transpired against the petitioners. We are informed that the minor child who is said to have been sold to the petitioners is being properly maintained by them. Possibility of other witnesses being won over appears to be remote. Under such circumstances, we are inclined to grant bail to them.

Accordingly, we direct that the petitioners viz. Satish Thakur and Sushama Sharma shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Bankura, on condition that the petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)