

08.12.2022.
24.
as
(Allowed)

C.R.M. (DB) 4327 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Salboni P. S. Case No.318 of 2021 dated 16.12.2021 under Sections 363/365 of the Indian Penal Code and adding Section 366 of the Indian Penal Code and Section 6 of the POCSO Act and Section 9 of the Child Marriage Act.

In the matter of : Sudip Dolai @ Subhadip Dolai.
.... Petitioner.

Mr. Soumya Das Mahapatra.
...for the Petitioner.

Mr. Rudradipta Nandy, ld. A.P.P.,
Mr. Subrata Roy.
...for the State.

Petitioner is in custody for about one year. Victim girl has already been examined.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Keeping in mind the nature of accusation, period of detention suffered by him and as vulnerable witness has already been examined, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Sudip Dolai @ Subhadip Dolai shall 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 under the POCSO Act, Paschim Medinipur subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not

intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Siddhartha Roy Chowdhury,J.)

(Joymalya Bagchi, J.)