

15.12.2022
tkm/ct 28
sl no. 42

C.R.M. (DB) 4409 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Murutia P.S case no. 98 of 2022 dated 10.5.2022 under sections 363/365/120B/34 of the IPC, added section 6 of the POCSO Act

Allowed In Re : Saiful Mandal & Anr. petitioners

Mr. Atis Kr. Biswas
Mr. Amit Singh
Ms. J Agarwal

..... for the petitioners

Mr. Abhra Mukherjee
Mr. D Mahata

..... for the State

Petitioners are in custody for more than 70 days. It is submitted they are not the principal accused. Victim has been recovered.

Learned lawyer for the State opposes the prayer for bail

We have considered the materials on record. Victim has recovered. Keeping in mind the extent of complicity of the petitioners in the alleged crime and the period of detention suffered by them, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners 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 Additional Sessions Judge cum Judge Special Court under POCSO Act, Tehatta, Nadia on condition that the petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 4409 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)