

21.12.2022
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allowed

CRM(DB) No. 4483 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Taherpur Police Station Case No. 472 of 2022 dated 10.10.2022 under Sections 376(3)/506 of the Indian Penal Code read with Sections 4/17 of the POCSO Act.

And
In Re : Payel Ghosh petitioner

Mr. Shibaji Kumar Das
Ms. Rupsa Sreemani
.....for the petitioner

Mr. Abhra Mukherjee
Mr. Dipankar Mahata
..... for the State

Learned Counsel appearing for the petitioner submits she is in custody for 60 days. It is also submitted that she is not the principal offender. Investigation is complete. She prays for bail.

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

We have considered the materials on record. Petitioner is not the principal offender. Investigation is complete. Under such circumstances, we are inclined to grant bail to her.

Accordingly, we direct that the petitioner 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 POCSO Act, Ranaghat, Nadia, subject to condition that petitioner 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 petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her 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.)