

23.12.2022.

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(Allowed)

**C.R.M. (DB) 4551 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mothabari P. S. Case No.336 of 2022 dated 14.08.2022 under Sections 363/365 of the Indian Penal Code and Section 4 of the POCSO Act.

In the matter of : Bikram Chowdhury.

.... Petitioner.

Mr. Amitava Karmakar,  
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. Atif Ahmed Siddiqui.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statement of the victim is exonerative.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Bikram Chowdhury 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 Chief Judicial Magistrate, Malda 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.

**(Ajay Kumar Gupta,J.)**

**(Joymalya Bagchi, J.)**