

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

12.04.2022
Item no.02
Ct.1
Suvendu

CRM(DB) 53 of 2022

In Re:- An application for bail under section 439 of The Code of Criminal Procedure, 1973 in connection with Rajganj Police Station Case No.435 of 2019 dated 31.12.2019 under Sections 376AB/506/109 of the Indian Penal Code read with Section 4 of POCSO Act, 2012.

And

In the matter of:- Naimul Haque Ali @ Naimul Haque @ Ali

... Petitioner

Mr. Joydeep Kanta Bhowmik
Ms. Debi Sarkar

.. for the petitioner

Mr. Ujjal Luksom

...for the State

By an order dated 1st March, 2022, a coordinate Bench granted interim bail of the petitioner for a period of one month on condition of furnishing a bail bond, providing two sureties and the petitioner not leaving the jurisdiction of the Police Station without leave of the Court.

Although learned counsel appearing for the State submits that the petitioner has not complied with the condition of meeting the Investigating Officer, there is no evidence of such non-compliance by way of an attendance-sheet or otherwise and more importantly we do not find such condition being imposed to the petitioner by the order of the coordinate Bench.

In view of the above, we deem it fit to confirm the order passed on 1st March, 2022 and grant bail to the petitioner.

CRM (DB) 53 of 2022 is accordingly allowed.

We make it clear that the petitioner shall meet the Investigating Officer once every fortnight. The other conditions contained in the earlier order shall remain unchanged.

CRM(DB) 53 of 2022 is disposed of in terms of the above order.

(Kesang Doma Bhutia, J.)

(Moushumi Bhattacharya, J.)