

01.02.2023.
30.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 207 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tamluk P. S. Case No.596 of 2021 dated 20.07.2021 under Sections 4/6 of the POCSO Act and charge sheet submitted under Section 6 of the POCSO Act.

In the matter of : Pradip Maity @ Pradip Kumar Maity.
.... Petitioner.

Md. Sabir Ahmed,
Mr. Abdur Rakib.
...for the Petitioner.

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

Mr. Biswajit Sarkar.
...for the de-facto complainant.

Affidavit of service is placed on record. Intimation has also been given to the survivor.

We have examined the deposition of the survivor. Minor survivor and her mother have been examined.

Balancing the nature of accusation with the period of detention suffered by the petitioner i.e. one and half years and as vulnerable witnesses have already been examined, we are inclined to grant bail to the petitioner.

Accordingly, the petitioners viz., Pradip Maity @ Pradip Kumar Maity 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, Purba Medinipur at

Tamluk 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.)