

30.01.2023
tkm/ct 28
sl no. 37

C.R.M. (DB) 238 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Hanskhali P.S case no.852 of 2021 dated 22.12.2021 under sections 363/366 IPC adding section 6 of the POCSO Act, charge framed under section 363/365/120B/376(3) IPC read with section 6 of the POCSO Act

and

Allowed

In Re : Roni Biswas @ Papai @ Rani

..... petitioner

Mr. Arindam Jana

Mr. Asraf Mandal

..... for the petitioner

Ms. Z N Khan

Mr. Arup Sarkar

..... for the State

Petitioner is in custody for 403 days. Notice upon the victim is placed on record. Victim has been notified.

Nobody appears for the victim.

We have considered the evidence of the victim. She has not supported the case. Her evidence in Court is contradictory.

Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Ranaghat, Nadia on condition that the petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 238 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)