

19.01.2023
tkm/ct 28
sl no. 45

C.R.M. (DB) 242 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dholahat P.S case no.293 of 2022 dated 19.6.2022 under sections 363/366/376 of the IPC read with section 6 of the POCSO Act

and

Allowed

In Re : Sujan Bairagi

..... petitioner

Mr N S Ghosh
Mr. P S Mondal
Mr. S Mondal

..... for the petitioner

Ms. Z N Khan
Md. Kutubuddin

..... for the State

Petitioner is in custody for 171 days. It is submitted he has been falsely implicated in the instant case. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Statement of the victim is exonerative in nature. Hence, 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 Additional District & Sessions Judge, 1st Court and Special court under POSCO Act, Kakdwip, South 4 Parganas 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) 242 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)