

25.01.2023
tkm/ct 28
sl no. 45

C.R.M. (DB) 312 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Daspur P.S case no.438 of 2022 dated 27.9.2022 under sections 341/376(D)/506 and adding section 120B of the IPC read with section 6 of the POCSO act
and

Allowed

In Re : Saroj Baxi @ Kusha @ Sawraj Boxi petitioner

Mr. S Sarkar

..... for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

..... for the State

Petitioner is in custody for 119 days. It is submitted on behalf of the petitioner that he is not the principal accused.

Learned lawyer for the State opposes the bail prayer.

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime and as investigation is complete, 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 Judge, Special Court under POCSO Act, Ghatal, Paschim Medinipur 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) 312 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)