

31.01.2023
Sl. No.27
akd
[ALLOWED]

C. R. M. (DB) 349 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.01.2023 in connection with Hanskhali Police Station Case No.866 of 2022 dated 03.09.2022 under Sections 448/323/325/307/354/506/34 of the Indian Penal Code read with Section 8 of the POCSO Act.

And

In Re: ***Bablu @ Babar Mondal***

... .. Petitioner

Ms. Minoti Gomes

... .. for the petitioner

Mr. Bidyut Kr. Roy

Ms. Rita Datta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 65 days. Co-accused has been enlarged on bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There was a free fight between parties. Petitioner stands on the same footing with co-accused who has been enlarged on bail. Accordingly, we are inclined to extend the same privilege to the petitioner also.

Therefore, the accused/petitioner, namely ***Bablu @ Babar Mondal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that the said petitioner 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 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 for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)