

01.02.2023
tkm/ct 28
sl no. 58

C.R.M. (DB) 386 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Harishchandrapur P.S case no.247 of 2022 dated 2.4.2022 under sections 342/363/365/376D/324/34 IPC read with section 6 of the POCSO Act read with section 75 and 77 of the Juvenile Justice (Care and Protection of Children) Act
and

Allowed

In Re : Ajaz Ali @ Ajaz Hossein & Anr.

..... petitioners

Mr. Ayan Basu
Mr. S Chatterjee
Mr. Sumit Routh

..... for the petitioners

Mr. R D Nandy
Mr. Subrato Roy

..... for the State

Petitioners are in custody for 306 days. Co-accused is on bail. Evidence of the victim is exonerative.

Under such circumstances, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Judge, Special Court, Chanchal, Malda on condition that the petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 386 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)