

03.02.2023
tkm/ct 28
sl no. 51

C.R.M. (DB) 434 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Balagarh P.S case no.31 of 2022 dated 26.1.2022 under sections 376(2)(n)/384/506 IPC and section 6 of the POCSO Act, charge sheet submitted under sections 376(2)(n)/384/506 IPC and section 6(1) of the POCSO Act
and

Allowed

In Re : Gourab Das @ Rahul Das

..... petitioner

Mr. Suman De

..... for the petitioner

Ms. Z N Khan

Mr. Arup Sarkar

..... for the State

Heard learned lawyers for the parties.

We have considered the materials on record. Vulnerable witness i.e victim has already been examined. There is no possibility of winning over witnesses.

Keeping in mind the aforesaid circumstance and the period of detention suffered by the petitioner i.e. 384 days, 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 Sessions Judge, 2nd Court, Chinsurah, Hooghly 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) 434 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)