

17.02.2023.
30.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 658 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mandarmoni Coastal P. S. Case No.47 of 2019 dated 02.11.2019 under Sections 366A/368/370/372/373/120B/34 of the Indian Penal Code and Sections 3/4/5/6/7/9 of the Immoral Traffic (Prevention) Act and under Section 4/17/21 of the POCSO Act.

In the matter of : Shyamal Manna.

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

Petitioner is in custody for more than three years. It is submitted there is inordinate delay in trial. Vulnerable witnesses have been examined. Co-accuseds are on bail.

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

Accordingly, the petitioner viz., Shyamal Manna shall 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 the POCSO Act, Contai, Purba Medinipur subject to condition that he 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)