

20.03.2023
tkm/ct 28
sl no. 38

C.R.M. (DB) 746 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bamongola PS case no. 183 of 2022 dated 12.7.2022 under sections 363/365 of the IPC and section 6 of the POCSO Act

and

Allowed

In Re : Chiranjit Das

..... petitioner

Mr. A Karmakar
Mr. A K Bhowmick

..... for the petitioner

Mr. T K Ghosh
Mr. Arindam Sen

..... for the State

Petitioner is in custody for eight months. He submits he has been falsely implicated in the instant case. He prays for bail.

Learned lawyer for the State produces the case diary.

Minor victim is present with her mother. She does not oppose the bail prayer.

We have considered the materials on record including the statement of the minor recorded under section 164 Cr.P.C. However, the minor does not oppose the bail prayer.

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

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 District and Sessions Judge, 2nd Court, Special court, Malda 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) 746 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)