

31.03.2023.
28.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 781 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Singur P. S. Case No.240 of 2020 dated 21.10.2020 under Sections 450/376(3) of the Indian Penal Code and read with Section 4(2) of the POCSO Act.

In the matter of : Ajoy Singh @ Billu.

.... Petitioner.

Mr. Arindam Jana,
Mr. Animesh Bhattacharyya,
Mr. Akashdeep Mukherjee,
Ms. Shreya Mukhopadhyay.

...for the Petitioner.

Ms. Faria Hossain,
Ms. Mamata Jana.

...for the State.

Report filed on behalf of the State is kept on record.

Petitioner is in custody for two years and four months. It is contended victim and her mother were examined. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Petitioner is in custody for a protracted period of time. Vulnerable witnesses have been examined.

Balancing the nature of accusation with the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner Ajoy Singh @ Billu 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-cum-Additional District & Sessions Judge, Chandannagore, Hooghly 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.)