

24.03.2023.
27.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 951 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Serampore P. S. Case No.448 of 2022 dated 22.11.2022 under Section 363 of the Indian Penal Code and charge sheet submitted under Sections 363/366 of the Indian Penal Code read with Section 6 of the POCSO Act.

In the matter of : Manish Mishra.

.... Petitioner.

Mrs. Jeenia Rudra,
Ms. Megha Chanda.

...for the Petitioner.

Mr. Partha Pratim Das,
Mrs. Manasi Roy.

...for the State.

Heard the learned Advocates for the parties.

Report is placed on record. Nobody appears for the victim.

We have considered the materials on record. Statement of the victim recorded under Section 164 of the Code of Criminal Procedure is exonerative in nature.

In view of the aforesaid fact and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner Manish Mishra 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, Hooghly at Serampore 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.)