

03.04.2023.
22.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 983 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raiganj P. S. Case No.452 of 2022 dated 07.04.2022 under Sections 363/365/34 of the Indian Penal Code read with Section 6 of the POCSO Act.

In the matter of : Mehebab Alam.

.... Petitioner.

Mr. Kunal Ganguly.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. Aniket Mitra.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Report is placed on record. Victim has been notified. Nobody appears for the minor victim. Statement of the victim is exonerative.

Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner i.e. 270 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Mehebab Alam 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, Raiganj, Uttar Dinajpur 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.)