

20.03.2023.
68.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 986 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sonarpur P. S. Nadia Case No.1027 of 2019 dated 02.11.2019 under Section 376 of the Indian Penal Code read with Section 6 of the POCSO Act.

In the matter of : Bappa Sikari.

.... Petitioner.

Mr. Bapin Baidya.

...for the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Dan.

...for the State.

Ms. Priyanka Mandal.

...for the de-facto complainant.

Heard the learned Advocates for the parties.

We have considered the materials on record. Petitioner is in custody for more than four years. Minor victim has not supported the prosecution case.

In view of the aforesaid circumstances, further detention of the petitioner is not necessary and he may be enlarged on bail.

Accordingly, the petitioner viz., Bappa Sikari 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, Baruipur, 24-Paraanas, South 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.)