

30.11.2023
Sl. No.33
akd
[ALLOWED]

C. R. M. (DB) 1031 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.02.2023 in connection with Sonarpur Police Station Case No.2611 of 2016 dated 07.12.2016 under Sections 366A/368/370/372/373/376/120B of the Indian Penal Code read with Sections 4/5/6 of the Immoral Traffic (Prevention) Act and Sections 4/17 of the POCSO Act.

And

In Re: ***Ranajit Basu Roy***

... .. Petitioner

Mr. Anjan Bhattacharya
Ms. Anita Shaw

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Manoranjan Mahata

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about seven years. It is further submitted recording of prosecution evidence has not come to an end. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail.
3. We have considered the materials on record. Recording of prosecution evidence has not concluded till date. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary and he may be enlarged on bail however, subject to strict conditions.
4. Therefore, the accused/petitioner, namely ***Ranajit Basu Roy***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Baruipur, South 24-Parganas subject to

condition that the said petitioner 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 and on further condition that the petitioner, while on bail, shall not leave the jurisdiction of Sonarpur Police Station except for the purpose of attending court proceedings and shall report to the Officer-in-charge, Sonarpur Police Station once in a week until further orders.

5. 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.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)