

24.03.2023.
31.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1077 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P. S. Case No.01 of 2023 dated 02.01.2023 under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Aloka Chowdhury.

.... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioner.

Mr. Angshuman Chakraborty.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Petitioner is the mother of the principal accused who has married the minor girl. Statement of the minor does not implicate the petitioner.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner Aloka Chowdhury 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, Malda subject to condition that she 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 her 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.)