

CRM(DB) No. 1184 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Manikchak Police Station Case No. 351 of 2021 dated 12.09.2021 under Sections 363/365/34 of the Indian Penal Code and Section 6 of the POCSO Act.

In Re : Sanjib Mandal

And
..... petitioner

Mr. Arup Kumar Bhowmick
....for the petitioner

Mr. Atif Ahmed Siddiqui
.... for the State

Inspite of service nobody appears for the minor. Statement of the minor before the learned Magistrate is exonerative in nature. It shows there was an intimate relationship between two young persons. Under such circumstances and in view of period of detention suffered by the petitioner i.e. 230 days, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 POCSO Act, Malda, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)