

19.04.2023
tkm/ct 28
sl no. 33

C.R.M. (DB) 1231 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Hasnabad PS case no. 303 of 2021 dated 16.5.2021 under sections 363/365/34/376 of the IPC and section 4 of the POCSO Act and section 9 of the Prohibition of Child Marriage Act

Allowed

And
In Re : Satyajit Mondal petitioner

Mr. K K Basu
Md. J Ul Firdous for the petitioner

Ms. Faria Hossain
Ms. Baisali Basu
Ms. Mamata Jana for the State

Mr. N Dhali
..... for the de facto complainant

Heard learned lawyers for the parties.

Report is placed on record.

Social media account containing pictures of the petitioner and the victim has been deactivated.

Keeping in mind the aforesaid development we are of the opinion though further detention of the petitioner may not be necessary, his movement requires to be restricted to ensure confidence in the mind of the minor victim and other witnesses.

Accordingly, the petitioner 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 (POCSO Act) Basirhat, North 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition

that petitioner while on bail shall not enter the jurisdiction of Hasnabad P.S until further orders and shall report to the officer in charge of the P.S concerned within whose jurisdiction he shall presently reside once in a week until further orders.

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.

The application being CRM (DB) 1231 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)