

17.04.2023
tkm/ct 28
sl no. 40

C.R.M. (DB) 1305 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Murutia PS case no. 98 of 2022 dated 10.5.2022 under sections 363/365/120B/34 of the IPC added section 6 of the POCSO Act,

And

Allowed

In Re : Sarjina Bibi Sekh @ Sarjina Bibi & Anr. petitioners

Mr. Atis Kr. Biswas
Mr. Amit Singh
Ms. J Agarwal

..... for the petitioner

Mr. T K Ghosh
Mr. Arindam Sen

..... for the State

Petitioners are the relations of the principal accused. They are in custody for 119 days. They pray for bail.

Learned lawyer for the State produces case diary.

Minor victim is present in court. She does not oppose the bail prayer.

Under such circumstances and in view of the extent of complicity of the petitioners in the alleged crime, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Additional Sessions Judge cum Judge Special Court under POCSO Act, Tehata, Nadia on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application being CRM (DB) 1305 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)