

03.04.2023
tkm/ct 28
sl no. 49

C.R.M. (DB) 1318 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Berhampore P.S case no. 1624 of 2022 dated 4.12.2022 under sections 370/376/372/373/120B of the IPC and sections 4/8/12/17 of the POCSO Act and sections 3/4/5/7 of the Immoral Traffic (Prevention) Act
and

Allowed

In Re : Anil Shaw

..... petitioner

Mr. J I Hossain
Ms. C Debnath
Mr. K Mondal

..... for the petitioner

Mr. R D Nandy
Mr. Mainak Gupta

..... for the State

Petitioner is in custody for 121 days. It is contended petitioner was a customer in the brothel. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the alleged crime, we are inclined to grant bail to the petitioner.

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 under POCSO Act, Berhampore, Murshidabad 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.

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) 1318 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)