

10.04.2023
tkm/ct 28
sl no. 59

C.R.M. (DB) 1410 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kaliachak PS case no. 728 of 2022 dated 8.7.2022 under sections 448/323/325/354/506 of the IPC and section 12 of the POCSO Act

And

Allowed

In Re : Debasish Mandal

..... petitioner

Mr. A Karmakar
Mr. A K Bhowmick

..... for the petitioner

Mr. Prasun Datta
Mr. Pradipto Ganguly

..... for the State

Heard learned lawyers for the parties.

We have considered the materials on record. Allegations are general and omnibus. Balancing the nature of accusation with the period of detention suffered by the petitioner i.e 29 days, 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, Malda 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) 1410 of 2023 is disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)