

C.R.M. (D.B.) 1553 of 2023

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhutni P.S. Case No. 144 of 2022 dated 07.08.2022 under section 6 of the POCSO Act read with sections 341/323/34 of the Indian Penal Code.

And

In the matter of : Selim @ Selim Sekh

Mr. Kazi Safiullah

... ... for the petitioner

Mr. Rudradipta Nandy

Mr. Subrato Roy

... ... for the State

Petitioner submits that the victim has been examined.

She did not support the prosecution case.

In view of such change in circumstances, we are inclined to grant bail to the petitioner.

Accordingly, 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, ADJ, 2nd Court, Malda subject to the condition that the petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to do so 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, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)