

16.06.2023

Sl. 13

Court No.29

Suvayan

(Allowed)

**C.R.M. (DB) 2059 of 2023**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dhantala P. S.** Case No. **82 of 2019** dated **09.03.2019** under Sections **363/365/34** of the IPC and Section **6** of the POCSO Act subsequently charge-sheet submitted under Sections **363/365** of the IPC and Section **6** of the POCSO Act corresponding to POCSO Trial No **01(09) 2022.**

And

In the matter of: **Motalen Mistri**

....petitioner

Mr. Snehansu Majumder

...for the petitioner.

Md. Anwar Hossain

Ms. Sreyashee Biswas

...for the State.

1. Heard the learned Counsel for both the parties.
2. Considered the materials placed by them including the statement of the victim recorded under Section 164 Cr.P.C. and the fact that the victim declined medical examination.
3. Regard being had to the facts and submissions in the case, factum of permanent residence of the petitioner, commencement of the trial and the examination of the victim in the meantime by the prosecution, it is directed that the petitioner shall be released on bail by the learned Additional Sessions Judge, Ranaghat, Nadia in POCSO Trial No. 01(09) 2022 arising out of Bhantala P.S. case No. 82 of 2019 on such terms and conditions as deemed just and proper in the facts and circumstances of the present case including the condition that the petitioner shall not involve himself in similar or any other offence during the currency of the order.
4. Accordingly, the prayer for bail of the petitioner is allowed.
5. CRM (DB) 2059 of 2023 is disposed of.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**