

21.06.2023

Sl. 9

Court No. 29

Sourav

(Allowed)

C.R.M. (DB) 2104 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **357** of **2022** dated **10.05.2022** under Section **377** IPC read with Section **6** of the POCSO Act.

And

In the matter of: **Abu Setabur Rahman @ Setabur Rahman @ Moulovi**

....petitioner.

Ms. Minoti Gomes
Mr. Asfak Ahammed

...for the petitioner.

Mr. Bidyut Kumar Roy
Ms. Sima Biswas

...for the State.

1. Heard learned Counsel for the parties.
2. The trial has already commenced. The victim boy and his mother have already been examined.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner and stage of trial, it is directed that the petitioner shall be released on bail by the learned Additional Special Judge cum Additional Sessions Judge, Chanchal, Malda in Special Case No. 30 of 2022 in connection with Harishchandrapur Police Station Case No. 357 of 2022 dated 10.05.2022 on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
4. The intimation given to the victim and his mother by learned Counsel for the State through the jurisdictional P.S. be taken on record.
5. Accordingly, the prayer for bail is allowed.

6. The application being **CRM (DB) 2104 of 2023** is disposed of.
7. Learned Trial Court is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

