

**20.06.2023**

Sl. 16

Court No. 29

Sourav

(Allowed)

**C.R.M. (DB) 2237 of 2023**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Hanskhali** Police Station Case No. **1226** of **2022** dated **08.12.2022** under Sections **363/366/326/34/120B** IPC read with Sections **8/12** of the POCSO Act.

And

In the matter of: **Avijit Biswas**

....petitioner.

Ms. Minoti Gomes

Ms. Shanta Sarkar

...for the petitioner.

Mr. Shiladitya Banerjee

...for the State.

1. Heard learned Counsel for the parties.
2. Charge-sheet is stated to have been filed.
3. The petitioner and the victim girl who is aged about 16 years have visited from place to place including Digha in West Bengal and Puri in Odisha and all through they have availed public transport and stayed in hotel. The girl was having a mobile phone as submitted at the Bar. After they came to Kolkata, the victim returned to her home and the petitioner was arrested. Subsequently, when the petitioner was in custody another report has been filed by the mother of the victim alleging that the associates of the petitioner are threatening her family members.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, absence of past criminal antecedent against him, possibility of reform in him and completion of investigation in the meantime, it is directed that the petitioner shall be released on bail by the learned

Additional Sessions Judge, Ranaghat, Nadia Cum-Judge Special Court, (POCSO Act), Ranaghat Nadia, in the trial in connection with Hanskhali Police Station Case No. 1226 of 2022 dated 08.12.2022 on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that i) the petitioner shall appear before the Inspector-in-Charge of Berhampore Police Station once in a fortnight on the day and time fixed by the I.C. who shall take stock of the past conduct of the petitioner on such appearance; ii) he shall appear in Court on each date of substantive hearing during the trial subject to provision of Section 317 Cr.P.C.; iii) he shall not threaten, induce or coerce any witness of the case including the victim and her family members during the currency of this order.

5. Accordingly, the prayer for bail is allowed.
6. The application being **CRM (DB) 2237 of 2023** is disposed of.
7. Learned Trial Court is hereby directed to act upon the server copy of this order.
8. Department is directed to forward a copy of this order to the Inspector-in-Charge of Berhampore P.S for his information and doing the needful.

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

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

