

CRM(DB) No. 2499 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shyampur Police Station Case No. 38 of 2023 dated 23.01.2023 under Sections 341/325/308/34 of the Indian Penal Code and Section 8 of the POCSO Act.

In Re : Klinton Bag petitioner

Mr. Somnath Adhikary
Mr. Shraman Sarkar
....for the petitioner

Mr. Anowar Hossain
Ms. Shreyashee Biswas
.... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Petitioner is in custody for 160 days. Co-accused, similarly circumstanced with the petitioner, has been released on bail.

Under such circumstances, we are inclined to extend the same privilege to the petitioner.

Accordingly, we direct that 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 Additional Session Judge, 1st Court (Special Court under POCSO Act) Uluberia, Howrah, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)