

04.07.2023
tkm/ct 28
sl no. 72

C.R.M. (DB) 2518 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Baishnabnagar PS case no. 205 of 2023 dated 5.4.2023 under sections 363/511/34 of the IPC read with section 12 of the POCSO Act

And

Allowed

In Re : Wasim Sekh @ Akram

..... petitioner

Mr. Kazi M Rahman

..... for the petitioner

Mr. Iqbal Kabir

..... for the State

Mr. Pravas Bhattacharya

..... for the victim

Heard learned lawyer for the parties.

Learned lawyer for the petitioner submits that there was free mixing between two persons. This is not opposed by the learned lawyer for the de facto complainant.

Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 cum Additional District Judge, 2nd Court, Malda on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 2518 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)