

06.07.2023.
43.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2682 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Women P. S. Case No.105 of 2022 dated 22.08.2022 under Sections 376(2)(b)/323/506 of the Indian Penal Code read with Section 6 of the POCSO Act.

In the matter of : Bipul Das @ Gosto.

.... Petitioner.

Ms. Minoti Gomes.

...for the Petitioner.

Ms. Faria Hossain,
Mr. Anand Keshari.

...for the State.

Heard the learned Advocates for the parties. Nobody appears for the victim.

We have considered the materials on record. The victim and the mother has not supported the prosecution case.

In view of the aforesaid extenuating circumstance, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Bipul Das @ Gosto 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 Judge, Special Court under the POCSO Act, Ranaghat, Nadia subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)