

11.07.2023
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allowed

CRM(DB) No. 2746 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uttarpara Police Station Case No. 520 of 2018 dated 12.07.2018 under Sections 366A/370/370A/372/373/120B/34 of the Indian Penal Code and Sections 3/4/5/7/9 read with Section 17 of the Immoral Traffic Prevention Act and Section 4 of POCSO Act.

And

In Re : Sukdev Das petitioner

Ms. Jeenia Rudra
Ms. Megha Chanda

....for the petitioner

Mr. Neguive Ahamed, learned APP
Ms. Trina Mitra

.... for the State

Learned Counsel for the petitioner submits he is in custody for more than four years. There is delay in trial. Co-accused has been granted bail. He prays for bail.

Learned Counsel for the State opposes the bail prayer.

We have considered the materials on record. Co-accused has been granted bail on the ground of delay. Petitioner stands on the same footing and may be extended the same relief.

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 Judge, Special Court under POCSO Act-cum-Additional Sessions Judge, 1st Court, Serampore, Hooghly, 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.)