

10.08.2023.
12.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 3157 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P. S. Case No.1042 of 2022 dated 05.10.2022 under Section 6 of the POCSO Act and Sections 363/365 of the Indian Penal Code.

In the matter of : Iti Sil.

.... Petitioner.

Ms. Minoti Gomes,
Ms. Sananda Bhattacharyya.

...for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha.

...for the State.

Inspite of service, nobody appears for the victim.

Petitioner is the aunt of the principal accused. She is in custody for 95 days. She prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioner in the crime and as victim has already been recovered, we are of the opinion further detention of the petitioner is not necessary and she may be enlarged on bail.

Accordingly, the petitioner viz., Iti Sil 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 she 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 her bail in accordance with law without further reference to this Court.

The application for bail is, thus disposed of.

(Gaurang Kanth,J.)

(Joymalya Bagchi, J.)