

11.08.2023
tkm/ct 28
sl no. 23

C.R.M. (DB) 3179 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with English Bazar P.S case no. 1413 of 2021 dated 18.10.2021 under sections 363/365/109 IPC and sections 6/17 of the POCSO Act

and

Allowed

In Re : Shilpi Mandal & Anr.

... petitioners

Mr. A K Bhowmick

..... for the petitioner

Mr. Binay Panda

Mr. Puspita Saha

..... for the State

1. Affidavit of service is filed.
2. Nobody appears for the victim
3. We have considered the materials on record. Petitioner is not the principal accused. He is in custody for 24 days.
4. Under such circumstance, we are of the opinion further detention is not necessary and he may be granted bail.
5. Accordingly, the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CJM, Malda, on condition that the petitioners shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
6. In the event they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

7. The application being CRM (DB) 3179 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)