

22.08.2023
tkm/ct 28
sl no. 44

C.R.M. (DB) 3295 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Eco Park PS case no. 320 of 2022 dated 29.12.2022 under sections 363/365/366 IPC charge sheet submitted under sections 363/365/366 IPC and sections 4/6 of the POCSO Act
and

Allowed

In Re : Liton Mondal

... petitioner

Mr. A Chakraborty
Mr. S S Saha

..... for the petitioner

Mr. N Ahmed
Ms Trina Mitra

..... for the State

1. Petitioner is in custody for eight months. It is submitted victim has not supported the prosecution case. He prays for bail.
2. Learned lawyer for the State produces the case diary.
3. In spite of notice, nobody appears for the victim.
4. We have considered the materials on record. Victim did not support the prosecution case. She stated that she had voluntarily left with the petitioner who is also a young person.
5. In view of the aforesaid and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.
6. 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 under POCSO Act, North 24 Parganas 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.

7. 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.
8. The application being CRM (DB) 3295 of 2023 is disposed of.

(Rai Chattopadhyay, J.)

(Joymalya Bagchi, J.)