

04.09.2023
Serial no. 1
[G.S.D]

CRM (SB) 178 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. 260 of 2020 dated June 22, 2020 under section 10 of Protection of Children from Sexual Offences Act, 2012 and Section 120B of the IPC, 1860.**

-And-

In the matter of : Dipankar Das

Ms. Sananda Bhattacharyya

... .. Petitioner

Mr. Binay Panda
Mr. Subham Bhakat

... .. For the Petitioner

... ..*For the State*

Learned Advocate for the petitioner submits that the petitioner is in custody for about 157 days and, although charge-sheet has already been submitted, but charge has not been framed against the present petitioner.

Learned Advocate for the petitioner draws the attention of the Court to the fact that a co-accused has been granted anticipatory bail in the instant case.

Learned Advocate for the State opposes the prayer for bail and submits that the petitioner was absconding for a considerable period of time and, thereafter, he could be apprehended.

I have considered the submissions advanced on behalf of the petitioner as well as that of the State. On perusal of the Case Diary, I am of the view that *prima facie*

offence has been made out but having regard to the period of detention of the present petitioner is concerned, I am of the view that further detention of the petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, Dipankar Das shall be released on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Special Court, Ranaghat, Nadia/Learned CJM, Nadia.

If on bail, the petitioner shall meet with the Officer-in-charge/Inspector-in-charge of Santipur P.S. once in a week for a period of six months. On the date so fixed by the Learned Trial Court, the petitioner should be physically present. Any design to delay the trial at the instance of the petitioner or other co-accused persons(s), should be dealt with sternly by the Learned Special Court. Any violation of the aforesaid conditions would result in the Learned Special Court cancelling the bail without further reference to this Court.

With the aforesaid observations, CRM(SB) 178 of 2023 is allowed.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)