

09.10.2023
tkm/ct 28
sl no. 16

C.R.M. (DB) 3689 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with English Bazar PS 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 : Gaju Mandal

... petitioner

Ms. M Gomes

..... for the petitioner

Mr. Ranadeb Sengupta

..... for the State

1. Affidavit of service is placed on record.
2. In spite of notice, nobody appears for the victim.
3. We have considered the materials on record. Petitioner is not the principal accused. He is the father of the principal accused. His mother has been enlarged on bail. Petitioner stands on the same footing and is also entitled to the same relief.
4. 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 CJM Malda 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.
5. 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.
6. The application being CRM (DB) 3689 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)