

29.09.2023.
42.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3774 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat P.S. Case No.368 of 2018 dated 19.10.2018 under Sections 363/365/376(2)(i)(n)/372/373 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Riya Bhattacharjee @ Kalyani Dey.**
.... Petitioner.

Mr. Sagar Saha,
Mr. Subir Debnath,
Ms. Roma Roy.

...for the Petitioner.

Ms. Anasuya Sinha,
Mr. Pinak Kr. Mitra.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Statement of the victim is exonerative. Petitioner is in custody for more than four years. Co-accused are on bail.
3. Under such circumstances, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner viz., **Riya Bhattacharjee @ Kalyani Dey** 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.

5. 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.

6. This application for bail is, thus, disposed of.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)