

20-11-2023
Item no.16
bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side

CRM (SB) 212 of 2023

Ashim @ Asim Bera

-vs-

The State of West Bengal & Anr

In Re: An application for bail under Section 439 of the code of Criminal Procedure, 1973 filed on 17th October, 2023 in connection with Pursurah Police Station Case No. 90 of 2023 dated 11.04.2023 under Sections 345C of the Indian Penal Code read with Section 8/12 of the POCSO Act.

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourav Mondal
Ms. Laboni Sikdar

...for the petitioner.

Mr. Saibal Bapuli
Mr. Arani Bhattacharya

... for the State.

Mr. Ghosh, learned advocate appearing on behalf of the petitioner submits that the petitioner is in custody for about 222 days. It is also pointed out that the evidence of the victim is over.

Having considered the report submitted by the State as also the period of detention of the petitioner and the factum that the evidence of the victim is over, I am of the view that further detention of the petitioner may not be warranted and the present petitioner may be released on bail.

Accordingly, the petitioner shall be released on bail by furnishing a bond of Rs.10,000/-(Rupees ten thousand only) with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the learned Judge, Special Court under the POCSO Act/Additional Chief Judicial Magistrate, Arambag.

If on bail, the petitioner shall stay outside the jurisdiction of the Hooghly District and shall enter the jurisdiction for the purpose of attending the court and for the purpose of meeting with any officer deputed by the Inspector-in-Charge, Pursurah Police Station once in a week till the further order of this court.

The petitioner shall inform his address where he would be staying to the Inspector-in-Charge, Pursurah Police Station as well as the learned special court who is in seisin of the matter.

The petitioner shall be physically present on each and every date of trial before the special court except for reasons beyond his control to the satisfaction of the learned court.

Accordingly, the application for bail CRM (SB) 212 of 2023 is allowed.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]

