

28.11.2023
tkm/ct 28
sl no. 61

C.R.M. (DB) 4435 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Berhampore P.S case no. 923 of 2021 dated 25.8.2021 under sections 363/365/376/34 IPC and section 4 of the POCSO Act

and

Allowed

In Re : Surajit Mondal

..... petitioner

Mr. M H Chowdhury

..... for the petitioner

Mr. Swapan Banerjee

Ms. Debjani Sahu

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Petitioner is in custody for more than two years. Evidence of the minor is complete.
3. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner we are inclined to grant bail to the petitioner.
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 Judge, Special Court under POCSO Act Berhampore, Murshidabad 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) 4435 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)