

19.12.2023
tkm/ct 28
sl no. 85

C.R.M. (DB) 4458 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gazole P.S case no. 446 of 2020 dated 1.10.2020 under sections 363/365/34 IPC adding section 6 of the POCSO Act

and

Allowed

In Re : Lakhan Mahato @Laxman Mahato

..... petitioner

Mr. S K Das
Mr. Sujan Chatterjee
Mr. S Sinha

..... for the petitioner

Mr. Arijit Ganguly
Mr. Gautam Wilson

..... for the State

1. Heard learned lawyers for the parties.
2. Report is placed on record. Progress in trial is not appreciable. Victim has already been examined.
3. Under such circumstances 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 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) 4458 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)