

20.12.2023.
128.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4649 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar P.S. Case No.189 of 2017 dated 30.03.2017 under Sections 363/366/34 of the Indian Penal Code and charge sheet under Sections 363/366/34 of the Indian Penal Code adding Section 376 of the Indian Penal Code read with Section 4 of the POCSO Act.

In the matter of : **Rakibul Sk. @ Rakibul Islam.**

.... Petitioner.

Mr. Golam Nure Imrohi.

...for the Petitioners.

Mrs. Anasuya Sinha,
Ms. K. K. Mitra.

...for the State.

1. Petitioners was on bail earlier. Due to miscommunication he was unable to appear before the court. Warrant of arrest came to be issued and he was re-arrested. He is presently in custody for about 90 days.
2. Learned Advocate for State opposes the bail prayer.
3. We have considered the materials on record. Non-appearance of the petitioner was due to miscommunication between him and his lawyer.
4. Keeping in mind the aforesaid fact, we are of the opinion further detention of the petitioner is not necessary and he may be enlarged on bail.
5. Accordingly, the petitioner 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,

Lalbagh, Murshidabad subject to condition that he 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 and on further condition petitioner while on bail shall meet Officer-in-charge, Raninagar Police Station once in a week until further orders.

6. In the event the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)