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14.12.2023
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C.R.M. (SB) 224 of 2023

In Re: An application under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Manikchak Police Station Case No.142 of 2023 dated 08.03.2023 under Sections 8 of the POCSO Act;

Sk. Ainul @ Aliun Sk @ Ainul Sk
Versus
The State of West Bengal and another

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
Md. Sontu Mia.
...for the petitioner.

Mr. Sudip Ghosh
Mr. Asif Dewan.
...for the State.

Petitioner has renewed his prayer for bail in connection with Manikchak Police Station Case No.142 of 2023 dated 08.03.2023. The earlier order reflected that the petitioner would be at liberty to approach this Court after the evidence of the victim is over.

Mr. Karmakar, learned advocate appearing for the petitioner has enclosed the deposition of the victim.

I have perused the same and on consideration of the evidence so deposed, I am of the view that further detention of the petitioner is unwarranted in the facts and circumstances of the present case.

Accordingly, the petitioner namely, Sk Ainul @ Aliun Sk @ Ainul Sk shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like

amount each, one of whom must be local to the satisfaction of the learned Special Court/CJM, Malda.

If on bail, the petitioner shall not leave the jurisdiction of Manikchak Police Station without the permission of the learned special court. The petitioner shall be physically present on each and every date of hearing. In case any of the aforesaid conditions are violated, learned special court will be at liberty to cancel the bail of the petitioner without further reference to this Court.

With the aforesaid observations, CRM (SB) 224 of 2023 is allowed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)