

AD-33
Ct No.01
Jalpaiguri
02.02.2023
TN

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (DB) 19 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **03.01.2023** in connection with **New Jalpaiguri** Police Station Case No. **1007** of **2020** dated **15.08.2020** under Sections **344/363/365** read with Section **04 of the POCSO Act, 2012**.

And

In the matter of: **Lalji Mahto @ Laljee Mahato**

.... Petitioner

Mr. Joydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik

... for the petitioner

Mr. Abhijit Sakar,
Mr. Biswarup Roy

... for the State

The petitioner is in custody since August 19, 2020. The petitioner submits that the petitioner has not been given copies of the relevant documents as yet. Although this is a prayer for renewal of bail, it is contended that in similar circumstances bail was granted by a coordinate Bench vide order dated August 19, 2020 passed in CRM 5717 of 2020 with CRAN 4097 of 2020.

Learned counsel for the State vehemently opposes the prayer for bail and denies the angle of love affair between the petitioner and the victim, as alleged by the petitioner.

Be that as it may, even without going into the nitty-gritties of the allegations, we find from the records that the petitioner is in custody since August 19, 2020. As we do not find any chance of

immediate conclusion of the trial, we are inclined to grant bail to the petitioner.

Accordingly, CRM (DB) 19 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner furnishes 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), Second Court at Jalpaiguri.

The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend the trial on each and every date.

The petitioner shall not make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)