

AD-35
Ct No.01
Jalpaiguri
07.02.2023
TN

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

CRM (DB) 55 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.01.2023 in connection with Rajganj Police Station Case No. 312 of 2022 dated 21.05.2022 under Sections 363/365 IPC, 1860, read with added Section 4 of the POCSO Act, 2012.

And

In the matter of: Arun Rabidas @ Arun Robidas

.... petitioner

Mr. Arijit Ghosh,
Mrs. Swarnali Ghosh (Sengupta)

... for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Sagnik Sankar Sikdar

... for the State

Learned counsel for the petitioner submits that the victim girl refused to undergo medical examination. That apart, the petitioner is in custody for 260 days.

Keeping in view the above circumstances, despite the opposition of learned counsel for the State, we are inclined to grant bail to the petitioner.

Accordingly, CRM (DB) 55 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, Jalpaiguri.

The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend on each day of trial. The petitioner shall not go near the vicinity of the victim's residence throughout the period of trial.

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 persons 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.)