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***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM (DB) 97 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.02.2023 in connection with Rungle Rungliott Police Station Case No. 01 of 2020 dated 01.01.2020 under Section 6 of the POCSO Act.

In the matter of : Pharshalal Sanyashi @ Pharsalal Sanyasi
... petitioner

Mr. Arjun Chowdhury,
Ms. Protusha Dutta Chowdhury,
Mr. Bikash Singha

...for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Ujjwal Luksom,
Mr. Sourav Ganguly

.....for the State.

Heard learned counsel for the parties.

Learned counsel appearing for the petitioner submits that due to pendency of a revisional application, trial had been stalled for specific period, for which the petitioner still remains in custody. It is also submitted that the revisional application was not preferred at the instance of the petitioner. Learned counsel for the petitioner submits that the petitioner is in custody for more than three years. It is further submitted that the trial has not yet commenced.

Learned counsel appearing for the State opposes the prayer of bail on the ground of gravity of the offence.

However, considering the circumstances as indicated above, we are inclined to grant bail to the petitioner.

Accordingly, CRM (DB) 97 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish a bond of Rs. 10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court (under NDPS Act), Darjeeling. The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and attend trial on each and every date.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)