

02.05.2023
KC (10)

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(DB) 177 of 2023

In the Matter of : Puniram Oraon

.... petitioner.

Ms. Rupa Basu,
Mr. Sandip Guha Roy.....For the petitioner.

Mr. Kallol Acharjee,
Mr. Sagnik Sankar Sikdar.....For the State.

This is an application for grant of bail filed under Section 439 of the Code of Criminal Procedure, 1973 in connection with F.I.R. No. 60 of 2015 dated 27th January, 2015 under Section 6 of the POCSO Act, 2012 read with Section 376(2) of the Indian Penal Code, corresponding to Sessions (POCSO) Case No. 66 of 2015 pending before the court of learned Additional District and Session Judge (Special Court under POCSO Act), Jalpaiguri.

Although the charge against the petitioner is very serious under Section 6 of the POCSO Act read with Section 376(2) of the Indian Penal Code, we find that from 27th January, 2015, the date of his arrest, the petitioner is in custody.

Charge-sheet has been submitted on 22nd April, 2015. Since then practically nothing has happened.

In that view of the matter we direct that the petitioner be released on bail subject to the following conditions:

The petitioner will be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional District and Sessions Judge (A.D.J. 2nd) under POCSO Act, Jalpaiguri on the following conditions:

1. The petitioner shall deposit his passport, if he has one, with the investigating officer,
2. He shall report before the said officer, as and when summoned,
3. The petitioner shall not leave the limits of the district Alipurduar without informing the I.C.,
4. He shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
5. The petitioner shall attend the court on each and every day of trial, in default, the court shall be at liberty to cancel the bail bond without any reference to this bench.

The application for bail [CRM (DB) 177 of 2023] is,
accordingly, disposed of.

(I.P. MUKERJI, J.)

(ANANYA BANDYOPADHYAY, J.)