

06-02-2024
Item no.35
bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side

CRM (SB) 10 of 2024

Jakir Hossain Molla and anr.

-vs-

The State of West Bengal & Anr

In Re: An application for bail under Section 439 of the code of Criminal Procedure, 1973 filed on 10th January, 2024 in connection with Uttar Kashipur Police Station Case No. 486 of 2023 dated 16.10.2023 under Sections 447/294/509/354A/34 of the Indian Penal Code read with Section 12 of the POCSO Act.

Mrs Sonali Das

...for the petitioners.

Ms. Sreyashee Biswas

... for the State.

Petitioners have been implicated in connection with Special Case No 163 of 2023 arising out of Uttar Kashipur P. S. Case No. 486 of 2023. Report submitted by the learned advocate appearing on behalf of the State be kept with the record.

Record reflects that the Investigating Agency on conclusion of investigation has already submitted chargesheet on 24th January, 2024.

Learned advocate for the petitioners submits that the petitioners are in custody for about 69 days and there were previous civil disputes in respect of the property in between the family of the petitioners and that of the family of the victim.

Be that as it may, I find that the investigation of the case has been concluded and the petitioners have been substantially detained in course of the investigation.

Having considered the same, I am of the view that the petitioners may be released on bail.

Accordingly, the petitioners shall be released on bail by furnishing a bond of Rs.10,000/-(Rupees ten thousand only) with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the learned Judge, Special Court under the POCSO Act/Additional Chief Judicial Magistrate, Baruipur.

If released on bail, the petitioners shall stay outside the jurisdiction of the Uttar Kashipur police station and inform the Inspector-in-charge/Officer-in-charge of the said police station regarding his residential address.

Petitioners shall meet with the Officer deputed by the Inspector-in-charge of Uttar Kashipur police station for once in every ten days till the further order of this court.

The petitioners shall attend the learned special court on each and every date of trial before the special court except for reasons beyond his control to the satisfaction of the learned court. A compliance report would be sent by the Inspector-in-charge of Uttar Kashipur police station to the learned special court regarding the attendance of the present petitioners and their conduct.

Accordingly, the application for bail CRM (SB) 10 of 2024 is allowed.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]

