

30.7.2024
Ct. No. 6
SL No. 46
SB /
Tanmoy

C.R.M. (DB) 402 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **English Bazar** P.S. Case No. **25** of **2023** dated **07.02.2023** under Sections 448/506 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In the matter of: Nayan Mondal

Mr. Mrityunjoy Chatterjee

Mr. Akash Sarkar ...for the Petitioner

Mr. Arijit Ganguli

Mr. Arani Bhattacharyyafor the State

1. Report is placed on record.
2. Victim has been examined. Petitioner is in custody for one year and seven months. There is little possibility of trial concluding in near future.
3. Under such circumstances, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, 2nd Court, Malda subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
5. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.
6. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)