

23.02.2024.
40.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 521 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sankrail P.S. Case No.453 of 2021 dated 20.04.2021 under Section 354B of the Indian Penal Code read with Section 10 of the POCSO Act and charge has been framed under Section 6 of the POCSO Act.

In the matter of : **Sambhu Charan Das.**

.... Petitioner.

Mr. Rajdeep Majumder,
Mr. Pritam Roy,
Ms. Triparna Roy.

...for the Petitioner.

Mr. Rudradipta Nandy, Id. A.P.P.,
Mrs. Baisakhi Chatterjee.

...for the State.

1. Petitioner is in custody for two years and ten months. Vulnerable witness has been examined. Accordingly, he renews his bail prayer.
2. Learned Advocate for the State opposes the bail prayer.
3. Nobody appears on behalf of the victim.
4. We have considered the materials on record. In view of the fact vulnerable witness has been examined and petitioner has suffered incarceration for a protracted period of time, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Sambhu Charan Das** 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 Judge, Special Court under the POCSO Act, Howrah subject to

condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)