

15.03.2024.  
23.  
Ct.No.28.  
as  
(Allowed)

**C.R.M. (DB) 604 of 2024**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murutia P.S. Case No.184 of 2021 dated 30.08.2021 under Sections 354B/376/511 of the Indian Penal Code and Section 8 of the POCSO Act.

In the matter of : **Sunil Sardar @ Pagla.**

.... Petitioner.

Mr. Soumyajit Das Mahapatra,  
Mr. Amanul Islam,  
Mr. Sourav Mukherjee.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,  
Mr. Anindya Sundar Chatterjee.

...for the State.

1. Petitioner is in custody for one year and six months.

There is delay in trial. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer.

He submits report.

3. We have considered the materials on record. Vulnerable witness i.e. victim has already been examined. Petitioner is in custody for a considerable period of time. There is no chance of abscondence.

4. Under such circumstances, we are inclined to grant bail to the petitioner.

5. Accordingly, the petitioner viz., **Sunil Sardar @ Pagla** 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, Tehatta, Nadia 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.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**