

08.04.2024
Sl. No.24
akd
[ALLOWED]

C. R. M. (DB) 650 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.02.2024 in connection with Tehatta Police Station Case No.291 of 2015 dated 09.07.2015 under Sections 363/366A/34 of the Indian Penal Code read with Section 4 of the POCSO Act.

And

In Re: **Jamal Sk.**

... .. Petitioner

Mr. Debarshi Brahma
Mr. Sagnik Mukherjee

... .. for the petitioner

Mr. Debasish Roy .. Id. Public Prosecutor

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Petitioner is in custody for about 991 days. Victim has been examined. Her deposition is exonerative in nature. In view of the aforesaid development, we are of the opinion further detention of the accused/petitioner is not necessary.
3. Therefore, the accused/petitioner, namely **Jamal Sk.**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 the said petitioner 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.
4. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

5. The application for bail, thus, stands allowed.

(Prasenjit Biswas, J.)

(Joymalya Bagchi, J.)