

03.04.2024
tkm/ct 28
sl no. 36

C.R.M. (DB) 803 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Narendrapur P.S case no. 1098 of 2021 dated 8.9.2021 under sections 342/376(3) IPC red with section 4 of the POCSO Act

Allowed

and
In Re : Sagar Das @ Chattu petitioner

Mr. D Banerjee
Mr. D Nandi
Ms. Oindrila Ghosh
..... for the petitioner
Mr. Anand Keshari
..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Evidence of the vulnerable witness i.e. minor victim is complete. Petitioner is in custody for more than two years. There is little possibility of trial concluding in the near future. There is no chance of abscondence.
3. Under such circumstances, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner 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 POCSO Act Baruipur South 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
5. In the event he fails to do so or resorts to dilatory tactics and delay the trial, trial court shall be at liberty to cancel his bail without reference to this court.
6. The application being CRM (DB) 803 of 2024 is disposed of.

(Gaurang Kanth, J.) **(Joymalya Bagchi, J.)**