

12.04.2024.
66.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1096 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baguiati P.S. Case No.91 of 2023 dated 21.02.2023 under Sections 376(2)/323/120B/506 of the Indian Penal Code and Sections 6/17 of the POCSO Act.

In the matter of : **Suman Jha.**

.... Petitioner.

Mr. Niladri Sekhar Ghosh.

...for the Petitioner.

Mr. Prasun Kr. Dutta, Id. A.P.P.,

Ms. Jonaki Saha.

...for the State.

Mr. G. N. Imrohi.

...for the de-facto complainant.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for 415 days. Evidence of the victim exonerates the petitioner.
3. In view of the aforesaid development, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner viz., **Suman Jha** 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, Barasat, North 24-Paraganas 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.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)