

18.04.2024
tkm/ct 28
sl no. 50

C.R.M. (DB) 1170 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bermampore P.S case no. 63 of 2021 dated 18.1.2021 under sections 363/365/376/34 IPC and sections 4/6 of the POCSO Act

and

Allowed

In Re : Pintu Sarkar

..... petitioner

Md. Sabir Ahmed
Mr. T Ahmed
Ms. Suman Biswas
Mr. D Banerjee

..... for the petitioner

Mr. Joydeep Roy
Ms. Sujata Das

..... for the State

1. Inspite of notice nobody appears for the victim.
2. Heard learned lawyers for the parties.
3. We have considered the materials on record. Co-accused Mriganka Sarkar and Asit Sarkar have been enlarged on bail. Petitioner stands on the same footing with the said co-accused. Hence, we are inclined to extend the same privilege to the petitioner also.
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 Berhampore, Murshidabad 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 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.
6. The application being CRM (DB) 1170 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)