

29.04.2024.
31.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1246 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Shyampur P.S. Case No.477 of 2021 dated 02.12.2021 under Sections 363/342/325/509/34 of the Indian Penal Code and Sections 8/10 of the POCSO Act and charge sheet submitted under Sections 363/365/342 of the Indian Penal Code and Section 17 read with Sections 8/10 of the POCSO Act.

In the matter of : **Sita Manna.**

.... Petitioner.

Mr. Ayan Basu,
Mr. Sourav Bera,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Sandip Chakraborty,
Mr. Kaustav Banerjee.

...for the State.

1. Petitioner is in custody for more than two years. He submits allegations against him are false. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. In spite of notice nobody appears on behalf of the victim.
4. We have considered the evidence of the victim. It is alleged two unknown persons had kidnapped her. She was kept in the residence of the petitioner. Vulnerable witness has already been examined. Prosecution proposes to examine eight more witnesses. There is little possibility of trial concluding in the near future.
5. Under such circumstances, we are inclined to grant bail to the petitioner.

6. Accordingly, the petitioner viz., **Sita Manna** 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, Uluberia, Howrah subject to condition that she 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.

7. 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 her bail in accordance with law without further reference to this Court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)