

09.05.2024
tkm/ct 28
sl no. 41

C.R.M. (DB) 1460 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Beldanga P.S case no. 427 of 2022 dated 21.7.2022 under section 4 of the POCSO Act
and

Allowed

In Re : Iftikar Ali @Mollilck @ Ittekar @ Milan petitioner

Mr. Arnab Chatterjee
Mr. Aisur Rahaman

..... for the petitioner

Mr. Imran Ali
Ms. Atulya Sinha

..... for the State

1. Heard learned lawyers for the parties.
2. Nobody appears for the victim.
3. We have considered the materials on record. We have also examined the evidence of the victim. Victim has not identified the petitioner in court. She has not supported the prosecution case.
4. In view of the aforesaid development, we are inclined to grant bail to the petitioner.
5. 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.
6. 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.

7. The application being CRM (DB) 1460 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)