

CRM (DB) 1875 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Beldanga Police Station** Case No. **286 of 2023** dated **19.04.2023** under Sections **363/365** of the Indian Penal Code and Section 4 of the POCSO Act.

- A n d -

In the matter of : Md. Sohel Rana @ Sohel Rana @ Soyel Rana
.... Petitioner.

Mr. Joy Chakraborty,
Mr. Sandip Dinda,

... For the Petitioner.

Mr. Saryati Dutta,
Ms. A. Sinha,

... For the State.

Mr. Subhendu Roy Chowdhury,
Mr. R. Malakar,

... for the defacto complainant.

The petitioner says that he is in custody for over six months. He has been falsely implicated as would appear from the deposition of the victim lady recorded before the learned Trial Court.

We have seen the deposition. The same militates against the prosecution case completely.

We have also seen the deposition of the victim girl's father. The same does not support the prosecution case in any manner.

In view of the aforesaid, we are inclined to allow the petitioner's prayer for bail.

Accordingly, we direct that the petitioner, **Md. Sohel Rana @ Sohel Rana @ Soyel Rana**, 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 Special Judge under the POCSO Act, Berhampore, Murshidabad and on further conditions that he shall not leave the jurisdiction of

the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)