

13.
Court
No.28

15.07.2024

(Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1953 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with C/Spl Case No. 52 of 2023 arising out of **Beldanga Police Station Case No.427 of 2023** dated **05.06.2023** under Sections **363/365/376/120B** of the Indian Penal Code, read with Section **4** of the POCSO Act, 2012.

And

In the matter of: - **Asadul Sk**

...petitioner.

Mr. Arnab Chatterjee, Adv.,
Mr. Anisur Rahaman, Adv.

...for the petitioner.

Mr. Saryati Dutta, Adv.,
Ms. Trisha Rakshit, Adv.

...for the State.

The petitioner renews his prayer for bail. He says that the victim girl has now deposed before the learned Trial Court. She has completely exonerated the petitioner.

We have seen the evidence of the victim girl. There is nothing against the petitioner.

Therefore, we enlarge the petitioner on bail.

Accordingly, we direct that the petitioner, namely, **Asadul Sk**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), 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, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973, 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 any 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 being CRM (DB) 1953 of 2024 is accordingly disposed of.

Criminal Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)