

11.09.2024
Item No.2
Ct.No.34
rc.
Allowed

C.R.M. (SB) 93 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Balagarh Police Station Case No. 201 of 2024 dated 27.04.2024 under Section 8 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

And

In Re : **Bittu Biswas**
... Petitioner.

Mr. Niladri Sekhar Ghosh
Mr. Partha Sarathi Mondal
Ms. Labani Sikder
... for the Petitioner.

Mr. Sanjoy Bardhan
Mr. Sourat Nandy
... For the State.

Learned counsel for the petitioner submits that the petitioner is in custody for 137 days. He has been falsely implicated. Evidence of the victim girl has been recorded. The petitioner prays for bail.

Learned counsel for the State produces the Case Diary along with the evidence of the victim girl and opposes the prayer for bail.

It appears that the petitioner is in custody for 137 days. Evidence of the victim is concluded.

Considering the period of detention undergone by the petitioner, this court is inclined to hold that further detention of the petitioner is not required for the purpose of trial.

Prayer for bail is allowed.

Accordingly, the petitioner be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, Special Court under POCSO Act, Chinsurah, Hooghly subject to condition that the petitioner shall not enter the jurisdiction of Balagarh Police Station and shall furnish the address where he shall henceforth reside before the Investigation Officer, the learned Trial Court and the Officer-in-Charge of the police station under whose jurisdiction he shall presently reside. The petitioner shall enter the jurisdiction of Balagarh Police Station only for the purpose of appearing before the learned Trial Court on every date fixed by the Court. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as referred to above, the learned trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail, being CRM (SB) 93 of 2024, is, thus, disposed of.

Case Diary be returned.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)