

CRM (DB) 2205 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Raghunathganj Police Station** Case No. **325 of 2024** dated **02.04.2024** under Sections **376(2)(n)/417/313** of the Indian Penal Code and Section 4 of the POCSO Act.

- A n d -

In the matter of : Sahil Sk. @ Sahid @ Bapi @ Sahid Sk. @ Sahil
.... Petitioner.

Mr. Anamitra Banerjee,

... For the petitioner.

Ms. Rituparna Ghose,
Mr. Saptarshi Chakraborty,

... For the State.

Order dictated by Partha Sarathi Sen, J.

It is submitted on behalf of the petitioner that considering the period of detention and also considering the fact that the present accused-petitioner is in judicial custody for a considerable period of time, the instant application for bail may be considered favourably.

On comparative study of the written complaint and the statement of the victim as recorded under Section 164 of the Code of Criminal Procedure, we find material omission in the later statement as recorded under Section 164 of the Code of Criminal Procedure. Investigation has already been completed. In such circumstances, we are inclined to allow the petitioner's prayer for bail.

Accordingly, we direct that the petitioner, namely, **Sahil Sk. @ Sahid @ Bapi @ Sahid Sk. @ Sahil**, 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 Additional Sessions Judge, Jangipur, 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 each date of substantive hearing subject to the provision of Section 317 Cr. P.C. 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.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)