

CRM (DB) 2213 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Haripal Police Station** Case No. **95 of 2023** dated **03.03.2023** under Sections **354C/294/504/509** of the Indian Penal Code and Section 12 of the POCSO Act and Sections 66E/67 of the Information Technology Act.

- A n d -

In the matter of : Pradip Bauri

.... Petitioner.

Mr. Tapas Kr. Ghosh,
Mr. Tanmoy Chowdhury,

... For the petitioner.

Mr. Sandip Charkaborty,
Mr. S. Haque,

... For the State.

Order dictated by Partha Sarathi Sen, J.

Affidavit of service filed in Court today be kept with the records.

It is submitted on behalf of the petitioner that considering the period of detention and also considering the fact that the informant, the victim girl and the mother of the victim girl have already been examined, the instant application for bail may be considered favourably.

Learned Advocate for the State opposes the prayer for bail.

On perusal of the entire material in the case diary, it reveals that most of the vulnerable witnesses have been examined and cross-examined. The present accused-petitioner has been languishing in jail custody for the last 467 days. It appears that no fruitful purpose will be served by keeping the present accused-petitioner in detention.

Considering such circumstances we are inclined to allow the petitioner's prayer for bail.

Accordingly, we direct that the petitioner, namely, **Pradip Bauri**, 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 District and Sessions Judge, Chandernagore, Hooghly 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 and every date of substantive hearing subject to the provision of Section 317 Cr. P.C. 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.

(**Partha Sarathi Sen, J.)**

(**Arijit Banerjee, J.)**