

05.8.2024
Ct. No. 6
SL No.49
SB

C.R.M. (DB) 2249 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Burdwan (W)** P.S. Case No. 129 of **2021** dated **31.5.2021** under Section 376(2)(m) of the Indian Penal Code and Section 4 of the POCSO Act.

And

In the matter of: Sk. Suman

Mr. Uday Sankar Chattopadhyay
Ms. Rajashree Tah
Ms. Trisha Rakshit
Ms. Aishwarya Datta ... for the petitioner.

Ms. Subhasree Patel
Mr. Bikram Mitrafor the State

1. Heard the learned lawyers for both the parties.
2. We have considered the materials on record. Vulnerable witnesses have been examined. Petitioner is in custody for over one year. There is little possibility of trial concluding in near future.
3. Under such circumstances, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner 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, 2nd Court cum Judge, Special Court under POCSO Act, Purba Bardhaman, subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
5. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.

6. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)