

05.08.2024
Sl. No.53
akd
[ALLOWED]

C. R. M. (DB) 2290 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 21.06.2024 in connection with Hanskhali Police Station Case No.536 of 2023 dated 26.06.2023 under Sections 363/365/354B/34 of the Indian Penal Code and Sections 8/12 of the POCSO Act and subsequently charge sheet submitted under Sections 363/365/354B/376/511/34 of the Indian Penal Code and Sections 8/12 of the POCSO Act.

And

In Re: ***Ramjan Mondal @ Patol Mondal***

... .. Petitioner

Mr. Sandip Chakraborty
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Kaustav Das

... .. for the petitioner

Mr. S. S. Imam
Ms. Puspita Saha

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than a year. Victim has been examined. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. In spite of notice, nobody appears for the victim.
4. We have considered the materials on record. Vulnerable witness i.e. the victim has already been examined. Petitioner is in custody for more than a year. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
5. Therefore, the accused/petitioner, namely ***Ramjan Mondal @ Patol Mondal***, be released on bail upon furnishing a 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 Judge, Special Court under the POCSO Act-cum-Additional District &

Sessions Judge, Ranaghat, Nadia subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
7. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)