

C.R.M. (DB) 2270 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kotwali** P.S. Case No. 133 of **2022** dated **09.02.2022** under Section 376(3)/420/406 of the Indian Penal Code and Section 6 of the POCSO Act and subsequently Charge Sheet submitted on 25.5.2022 under Sections 376(3)/420/406/465/468/471 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In the matter of: Ananda Mondal @ Rohan Mondal

Mr. Sandip Chakraborty
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Saustav Das ... for the petitioner.

Mr. Debabrata Chatterjee
Mr. Sharequul Haquefor the State

1. Petitioner is in custody for two years and six months. Vulnerable witness i.e. victim has been examined. Inspite of notice, nobody appears for the victim.
2. In view of the aforesaid circumstances, we are of the opinion, further detention is not necessary.
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 Judge, Special Court under POCSO Act, Nadia, Krishnagar, 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.)