

63.
Court
No.28

06.09.2024
(Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
CRM (DB) 2690 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Kaliganj** P.S. Case No. **385/2024** dated **03.5.2024** under Sections **341/354/354B** of the Indian Penal Code read with Sections **4/18** of the POCSO Act, 2012. Charge-sheet submitted under Sections **341/354** of the Indian Penal Code.

And

In the matter of: - **Panchu Sk @ Sekh**

Mr. Snehansu Majumder

Mr. Debobrata Chatterjee

Mr. Nirupam Dhali

Ms. Trina Mitra

...petitioner.

...for the petitioner.

...for the State.

...for the victim girl.

Dictated by Prasenjit Biswas, J.

1. Learned Advocate for the petitioner submits that the petitioner is aged about 75 years. He is innocent. He has been falsely entangled with the alleged offence. In the meantime, charge-sheet has been submitted upon completion of investigation. He prays that the accused petitioner may be enlarged on bail.
2. Learned Advocate for the State raises objection and submits that this petitioner’s prayer for bail may be rejected.
3. Our attention has been drawn to the documents gathered in the case diary. It appears that the investigation has already been completed and charge-sheet has been submitted.
4. We have gone though the documents in the case diary collected by the Investigating Agency at the time of investigation. We are of the opinion that no further detention

of the petitioner is required for the sake of custodial interrogation. Hence we are inclined to enlarge the accused petitioner on bail.

5. Accordingly, we direct that the petitioner, namely, **Panchu Sk @ Sekh** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court, POCSO Act, Krishnagar, Nadia, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
7. The application for bail being CRM (DB) 2690 of 2024 is accordingly disposed of.
8. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)