

C.R.M. (DB) 2748 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 in connection with **Taherpur P.S. Case No. 211 of 2020 dated December 19, 2020** under **Sections 447/354/506** of the Indian Penal Code read with **Section 12** of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Santanu Dhar @ Raja**.

Mr. Navanil De,
Ms. Monami Mukherjee, ...for the Petitioner.

Mr. Kunal Ganguly,for the State.

1. Petitioner is in custody for more than 3 years. He submits vulnerable witness has been examined. He may be released on bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Allegations are quite ugly. However, petitioner is in custody for a considerable period of time and vulnerable witness has been examined. There is no possibility of early conclusion of trial.
4. In such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct the petitioner viz. **Santanu Dhar @ Raja** 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), Ranaghat, Nadia 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)