

12.09.2024.
87.
Ct.No.6.
as
(Allowed)

C.R.M. (DB) 2834 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chapra P.S. Case No.629 of 2022 dated 03.11.2022 under Sections 363/365 of the Indian Penal Code and charge sheet submitted under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Faruk Sekh.**

.... Petitioner.

Mr. Sourav Mukherjee.

...for the Petitioner.

Mrs. Anasuya Sinha, Id. A.P.P.,
Ms. Nandini Chatterjee.

...for the State.

1. Heard the learned Advocates for the parties.
2. In spite of notice, victim has not appeared.
3. We have considered the materials on record. Petitioner is in custody for about one year and eight months. Vulnerable witness i.e. victim has already been examined. There is considerable delay in examining other witnesses.
4. Under such circumstances, we are of the opinion petitioner is entitled to bail on the ground of slow progress in trial.
5. Accordingly, the petitioner viz., **Faruk Sekh** 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 the POCSO Act, Krishnanagar, Nadia subject to condition that he 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 the petitioner fails to appear before the trial court 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. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)