

06.11.2024
tkm/ct 28
sl no. 73

C.R.M. (DB) 3042 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with English Bazar P.S case no. 1679 of 2023 dated 6.10.2023 under section 376(3) IPC read with section 6 of the POCSO Act

And

Allowed In Re : Partha Halder @ Bacchu Halder ... petitioner

Mr. Sandiop Chakrarborty
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Kaustav Das
Mr. S Pakrashy

..... for the petitioner

Mr. Debabrato Chatterjee
Mr. Raju Jana

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Petitioner is a relation of the victim. Victim has already been examined. Inspite of notice nobody appears for the victim. Petitioner is in custody for more than a year. Further detention for smooth progress is not necessary.
3. Hence, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner 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 Additional District & Sessions Judge, 2nd Court Malda on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
5. 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.
6. The application being CRM (DB) 3042 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)