

07.11.2024
Sl. No.74
akd
[ALLOWED]

C. R. M. (DB) 3282 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 18.09.2024 in connection with Malda Police Station Case No.306 of 2024 dated 20.05.2024 under Sections 341/506/34 of the Indian Penal Code, Section 6 of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act.

And

In Re: ***Dipu Chowdhury***

... .. Petitioner

Mr. Sagar Saha
Mr. Nur Nobil Sk.
Mr. Imtiaz Kabir

... .. for the petitioner

Md. Zubair Alam
Mr. Debanik Das

... .. for the State

1. In spite of notice, nobody appears for the victim.
2. Heard the learned Advocates appearing for both the parties.
3. We have considered the materials on record. Statement of the victim is exonerative in nature. Petitioner is in custody for about five months. Victim has already been examined. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Dipu Chowdhury***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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-cum-Additional District Judge, 2nd Court, Malda subject to condition that the said petitioner 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.

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 for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)