

09.01.2024.
29.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4436 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara P.S. Case No.918 of 2022 dated 25.11.2022 under Sections 366/363 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Akash Das.**

.... Petitioner.

Mr. Sumanta Das.

...for the Petitioner.

Ms. Zareen N. Khan,

Ms. Sreeparna Das.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Evidence of the victim is placed on record. Her evidence is exonerative in nature.
3. In view of the aforesaid fact and the period of detention suffered by the petitioner i.e. more than a year, we are inclined to grant bail to the petitioner
4. Accordingly, the petitioner viz., **Akash Das** 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, Nadia at Krishnagar 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.

5. 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.

6. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)