

17.12.2024
Serial no. 3
[G.S.D]

CRM (SB) 166 of 2024

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure and/or under section 483 of the BNSS in connection with **Liluah P.S.Case No. 167 of 2022 dated 25.04.2022 being Special T.R. No. 59 of 2022 under section 341/506 of the IPC and Section 10 of the POCSO Act.**

-And-

In the matter of : Ajay Shyamal @ Samal

... .. Petitioner

Mr. Sk. Toslim Ali

... for the petitioner

Mr. ArindamSen

Mr. Aninday Sundar Chatterjee

... for the State - respondent(s)

Affidavit-of-service so filed be kept with the record.

The petitioner was arrested on 04.05.2022. Since then he is in custody.

Learned advocate submits that six witnesses out of the 13 witnesses proposed to be examined by the prosecution have been completed. As such, on any stringent condition, the petitioner may be released on bail.

Learned advocate for the State opposes the prayer for bail and draws the attention of the Court to the accusations, which have been leveled against the petitioner and submits that the act and actions of the petitioner speaks volume, as such, he should not be released on bail.

I have considered the submissions advanced by the petitioner as well as the learned advocate appearing for the State.

Having considered the period of detention, which is more than two years and seven months, I am inclined to release the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, Ajay Shyamal @ Samal shall be released on bail upon furnishing 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 CJM, Howrah.

If on bail, the petitioner shall stay outside the jurisdiction of Liluah Police Station and shall enter the police station only for the purpose of meeting with the investigating officer once in a week till further order(s) of this Court.

It is further directed that the petitioner should be physically available on each and every date fixed by the learned Special Court.

Accordingly, CRM(SB) 166 of 2024 is **allowed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)