

22.01.2024  
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allowed

CRM(DB) No. 17 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 94 of 2023 dated 28.01.2023 under Sections 363/365/506/328/34 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re : Bapi Bala @ Bapi Balla ..... petitioner

Ms. Sananda Bhattacharyya

....for the petitioner

Ms. Faria Hossain

Mr. Arani Bhattacharyya

.... for the State

1. Heard learned Counsels for the parties.

2. Further statement of the victim is placed on record. Her statement is exonerative. In view of aforesaid development and period of detention suffered by the petitioner i.e. 315 days we are inclined to grant bail to him.

3. Accordingly, we direct that the petitioner 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 Additional District & Sessions Judge, Special Court (under POCSO Act), Ranaghat, Nadia, subject to condition that 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.

4. In the event 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.

5. The application for bail is, accordingly, allowed.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**