

04.12.2024
SL No.22
srm/Mujahid
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

C.R.M. (DB) 602 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/Section 483 of the B.N.S.S. 2023 filed on **11.11.2024** in connection with **Jalpaiguri Women** P.S. Case No. **132/2024** dated **17.10.2024** under Section 8 of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: **Gouranga Sen @ Prabhu**

....Petitioner

Mr. Jaydeep Kanta Bhowmik,
Mr. Shubham Kumar,
Ms. Sayantani Das

...for the petitioner

Mr. Nilay Chakraborty,
Ms. Sukanya Adhikary

...for the State

Mr. Abhishek Sarkar

...for the de facto complainant

The petitioner prays for bail on the ground that he has been falsely implicated in the case. He has been in custody for 48 days and the investigation is complete with the filing of the charge-sheet.

Learned Advocate for the de facto complainant submits that the petitioner committed a heinous offence.

Learned Additional Public Prosecutor has produced the case diary. From which we find that the charge-sheet has been submitted.

The investigating officer is present and he also confirms that the charge-sheet has been submitted.

Considering the nature of allegation as also the fact that the charge-sheet was submitted, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of equal amount each, one of whom must be local, to the satisfaction of the learned Special Judge under POCSO Act, Jalpaiguri. The petitioner will attend the learned trial court on the dates fixed. The petitioner shall not leave the territorial jurisdiction of the trial court. The petitioner shall not enter into the jurisdiction of the Kotwali police station and he will furnish his present address to the local police station where he will be henceforth residing. The petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as stated hereinbefore, it is open to the learned trial court to cancel the bail of the petitioner without any further reference to this Court.

The application for bail is, thus, allowed.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)