

20.02.2025
Item no.31.
Court No.29.
S. De
(Allowed)

CRM (DB) No. 176 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Habibpur Police Station Case No. 147 of 2024** dated **29.05.2024** under **Section 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.**

And

In the matter of : Manoj Karmakar.Petitioner.

Mr. Sumanta Das,for the Petitioner.

Ms. Sonali Das,
Mr. Sourat Nandy,for the State.

Mr. Dhananjoy Banerjee,
Mr. Somnath Adhikary, ...for the de facto complainant.

Dictated by Arijit Banerjee, J.

1. Read order dated February 12, 2025.
2. Fresh statement of the victim has been recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
3. Having considered such statement which is, inter alia, to the effect that the victim girl does not oppose the petitioner's prayer for bail, we are of the view that further custodial detention of the petitioner is not necessary.
4. Accordingly, we direct that the petitioner, namely, **Manoj Karmakar** 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 POCSO Act), Malda, subject to the condition that the petitioner shall remain within the jurisdiction of Habibpur Police Station and shall meet the Inspector-in-Charge of the Habibpur Police Station once in a fortnight, until further orders.

5. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

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

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)