

CRM (DB) 518 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Katwa Police Station** Case No. **932 of 2024** dated **01.11.2024** under Section 8 of the POCSO Act.

- A n d -

In the matter of : Hiru Majhi

.... Petitioner.

Mr. R. Kr. Bose,
Mr. Prodyut Kumar Ray,

... For the Petitioner.

Mr. Imran Ali,
Mr. E. Akhter,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. Service report filed by the State be kept with the records.
2. In spite of service none appears for the defacto complainant/victim.
3. The petitioner says that he has been falsely implicated. There were several people in and around the alleged place of occurrence and nothing happened as alleged by the prosecution. He is in custody for 128 days. Investigation is complete. He may be released on bail.
4. We have seen the statement of the victim girl recorded under Section 164 (183 of the BNSS) of the Criminal Procedure Code. We have also seen the medical report. The medical report *prima facie* reveals nothing. The charge is under Section 8 of the POCSO Act.
5. On an overall assessment of the material on record, nature and gravity of the offence and possible extent of complicity of the petitioner in the alleged offence and also keeping in mind the fact

that the investigation is complete, we are of the view that further custodial detention of the petitioner is not necessary.

6. Accordingly, we direct that the petitioner, namely, **Hiru Majhi**, 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 Special Judge under the POCSO Act, Katwa, Purba Bardhaman subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and on further conditions that the petitioner while on bail shall not leave the jurisdiction of the concerned Police Station and shall meet the I.C./O.C. of the concerned Police Station once in a fortnight until further orders.

7. 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.

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

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

(**Om Narayan Rai, J.)**

(**Arijit Banerjee, J.)**