

19.02.2025

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jb.
jdt.
Allowed

C.R.M. (SB) 18 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Dum Dum Police Station Case No. 38 of 2024 dated 30.01.2024 under Section 10 of POCSO Act.

And

In Re : **Khokan Molla**

... Petitioner.

Mr. Debasis Kar
Mr. Arka Tilak Bhadra

... For the Petitioner.

Ms. Minoti Gomes
Sanjida Sultana

... For the State

Report submitted on behalf of the State is taken on record.

Learned counsel for the petitioner submits that the petitioner is in custody for more than a year and evidence of the victim girl has been recorded. His further detention is not required.

Learned counsel for the State produces the case diary and opposes the prayer for bail.

It appears that trial has commenced and the victim girl has been examined. The petitioner is in custody for more than a year.

Considering the stage of trial as well as period of detention of the petitioner, this Court is inclined to release the petitioner on bail subject to stringent conditions. Accordingly, prayer for bail is allowed.

The petitioner namely Khokan Molla 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 Additional Chief Judicial Magistrate, Barrackpore subject to condition that he shall remain outside the jurisdiction of Dum Dum Police Station until further orders and shall furnish the present address where he shall reside before the learned trial Court, the investigating officer and the officer-in-charge of the concerned police station under which he shall presently reside. The petitioner shall appear before the learned trial Court on every date of hearing and shall not tamper with the evidence and intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to comply with any of conditions stated above, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail, being CRM (SB) 18 of 2025, is, thus, disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)