

28.03.2025
Item no. 42.
Court No.29.
AB
(Allowed)

CRM (DB) 622 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gobardanga Police Station Case No.272 of 2024 Dated 26.09.2024 under Section 137(2)/140(3)/65(1) of the B.N.S. 2023 read with Section 4 of the POCSO Act

And

In the matter of : Siddik Mondal @ Siddiki Mondal

.....Petitioner.

Mr. Anshuman Chakraborty
Mr. S. S. Saha

.....for the Petitioner.

Ms. Faria Hossain,
Ms. Rita Dutta

.....for the State.

Dictated by Arijit Banerjee, J.

1. Read order dated March 25, 2025. We had directed the Member Secretary, High Court Legal Services Committee to engage a lawyer to represent the defacto complainant. Today, nobody appears on behalf of the defacto complainant.
2. The statement of the victim girl recorded under Section 183 B.N.S.S. 2023 prima facie exonerates the petitioner. The petitioner is in custody for about five months. Investigation is complete. Charge sheet has been filed. However, trial has not begun. There are 20 charge sheet named witnesses. An early conclusion of the trial is improbable.
3. In the aforesaid facts and circumstances, we are of the view that further custodial detention of the petitioner is not necessary.

4. Accordingly, we direct that the petitioner, namely **SIDDIK MONDAL @ SIDDIKI MONDAL** 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 Chief Judicial Magistrate, North 24 Parganas at Barasat, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned 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 and/or commit any cognizable offence 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.)

