

07.02.2025
Item no.23.
Court No.29.
S. De
(Allowed)

CRM (DB) No. 3719 of 2024

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 **Pandua Police Station Case No. 387 of 2023 dated 24.07.2023** under **Sections 376(2)(i)(n) of the Indian Penal Code** and **Section 6(1)** of the Protection of Children from Sexual Offences Act (POCSO), 2012 and **Sections 376(2)(1)(n)/376(3) of IPC and under Section 6(1) of the POCSO Act, 2012.**

And

In the matter of : Sk. Saidul.Petitioner.

Mr. Sumon Chakraborty,for the Petitioner.

Ms. Subhasree Patel,
Ms. Sima Biswas,for the State

Dictated by Arijit Banerjee, J.

1. Read orders dated January 6, 2025 and January 15, 2025.
2. Learned State advocate produced the DNA report.
The report excludes the petitioner as the biological father of the baby child that the victim girl has given birth to.
3. In view of the aforesaid and keeping in mind the long detention of the petitioner, we are inclined to allow his prayer for bail.
4. Accordingly, we direct that the petitioner, namely, **Sk. Saidul** 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), Hooghly subject to the conditions that the petitioner shall remain within the jurisdiction of the Chinsurah Police Station and shall meet the Inspector-in-Charge/Officer-in-Charge of the Chinsurah Police Station twice in a week, 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.)