

10.01.2025

Item No.3

Ct.No.34

rc.

Allowed

C.R.M. (SB) 171 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of Bharatiya Nagarik Suraksha Sanhita 2023 filed in connection with the Jetia Police Station Case No. 157 of 2024 dated 26th September, 2024 under Section 8 of The Protection of Children from Sexual Offences Act.

And

In Re : **Sandip Chakraborty.**

... Petitioner.

Mr. Debasish Kar
Mr. Arka Tilak Bhadra
Mr. H. Mustafi

... for the Petitioner.

Mr. Bibaswan Bhattacharyya
Mr. Rahul Ganguly

... for the State.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner is in custody for about 110 days. Charge sheet has been submitted.

Learned counsel for the State produces the Case Diary, particularly statement of the victim under Section 164 of the Code of Criminal Procedure and opposes of the prayer for bail.

It is a fact that the allegation against the petitioner is extremely serious in nature. However, charge sheet has been submitted. The petitioner is in custody for about 110 days.

Considering the period of detention of the petitioner as well as the fact that the investigation has culminated in submission of charge sheet, this court is of the view that further detention of the petitioner is not required for the purpose of custodial interrogation.

Prayer for bail is allowed.

Accordingly, the petitioner 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, North 24 Parganas subject to condition that the petitioner shall not enter the jurisdiction of Jetia Police Station and shall furnish the address where he shall henceforth reside before the Investigation Officer, the learned Trial Court and the Officer-in-Charge of the police station under whose jurisdiction he shall presently reside. The petitioner shall appear before the learned Trial Court on every date fixed by the learned Trial Court. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned Trial Court without any justifiable cause, 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) 171 of 2024, 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.)