

26.02.2025
Item No.59
Court No.26
S.D.
(Bail granted)

CRM (DB) 4276 of 2024

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 in connection with **Barasat** Police Station Case No. **306** of **2022** dated **08.05.2022** under Section **363/365/34** of the Indian Penal Code, 1860 adding section **376/120B** of the Indian Penal Code 1860 and Section **4/6/17** of the Protection of Children from Sexual Offences Act, 2012.

-And-

In the matter of: Shibu Das

... .. Petitioner

Mr. Sandip Chakraborty

Mr. Kaustav Das

... .. For the Petitioner

Mr. Rudradipta Nandy, Ld. A.P.P.,

Ms. Eshita Dutta

...For the State

Mr. Soumik Ganguly

Mr. Ronit Mukherjee

Mr. Devangana Bhattacharya

..For the defacto complainant

Petitioner is in custody for a period in excess of 2 years and 7 months.

Trial is in progress.

Deposition at the trial suggests that the police complaint was lodged due to family animosity.

Considering such materials on record, we deem it appropriate to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a 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 Judge, Special Court, POCSO Act, Barasat, North 24-Parganas** subject to the condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.

The prayer for bail of the petitioner is **allowed**.

C.R.M.(DB) 4276 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)