

POCSO- 29 of 2023
Sadar Women PS Case No. 142 of 2023 dated 16.10.2023

Order No. 04
Dated 28.06.2024

Today record is put up before this court by filing hazira.

Now, Ld. Counsel for the accused Jyotish Barman @ Jyotis Barman has come up today with the prayer on behalf of Jyotish Barman @ Jyotis Barman by filing authenticated copy of the Order passed by the Hon'ble Court in CRM (DB) No. 278 of 2024 while dealing with the application as filed at the instance of the petitioner accused herein U/s 439 Cr.P.C before the Hon'ble Court on 20.06.2024.

Perused the certificate appended by the Ld. Counsel representing the petitioner/accused confirming the genuinity of the Order along with identification document.

Let these be kept with the record.

Perused the Order dated 20.06.2024 in CRM (DB) No. 278 of 2024 Wherein the Hon'ble Court has been pleased to determine the same arising out of Sadar Women Police station Case No. 142 of 2023 dated 16.10.2023 U/s 376(2)(1)/506 IPC read with 6 / 10 of POCSO Act granting bail to Jyotish Barman @ Jyotis Barman U/s 439 Cr.P.C under the following terms .

“ Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Ld. Judge, POCSO Court -cum- Additional Sessions Judge, 2nd Court, Cooch Behar on condition that the petitioner shall appear before the trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not leave the jurisdiction of concerned police station without permission of the trial court and shall not take adjournments to unnecessarily delay the trial.

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.....”

Accordingly in view of the Order of the Hon'ble Court petitioner may furnish bail bonds and document in support of the local surety in the form of Registered deed on behalf of the accused to be presented for verification in the office of Ld. CJM, Cooch Behar to check the fitness and capacity of the surety. Let the Order be transmitted to Ld. CJM, Cooch Behar.

Put up the case record again for acceptance of the bail bonds after verification report from Ld. CJM, Cooch Behar.

Inform all concerned.

Dictated & Corrected,

Judge Special Court-Cum-
Addl. Sessions Judge, 2nd Court
Cooch Behar,

Judge Special Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar,

Memo No. _____

Dated : 28.06.2024

A copy of this order with the copy of the order of the Hon'ble Court along with annexed documents be forwarded to Id. C.J.M., Cooch Behar for information and taking necessary action.
Dictated & Corrected,

Judge Special Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar,

POCSO- 29 of 2023
Sadar Women PS Case No. 142 of 2023 dated 16.10.2023

Later
Dated 28.06.2024

Bail bond appears to be verified by the Office of Ld. CJM, Cooch Behar in respect of the registered surety as well as sale deed bearing no. 080105022 dated 12.08.2015 before DSR, Cooch Behar, West Bengal as forwarded vide Memo no. 611C, dated 28.06.2024 by Ld. CJM, Cooch Behar is found to be fit for acceptance.

Accordingly, the bail bond of the registered surety since found accepted.

The bail bond in respect of local surety is filed with original registered deed no. I- 080105022 dated 12.08.2015 before DSR, Cooch Behar, West Bengal and affidavit with identity proof with plot information report as submitted by the local surety Subash Ch. Roy appears to be sufficient and fit for acceptance and the same is also accepted.

On the basis of the same let the accused Jyotish Barman @ Jyotis Barman be released at once, if not required in any other case.

Issue RO accordingly to the concerned correctional home authority.

To date (06.07.2024) for appearance of the accused persons.

Accused to abide by the condition set forth by the Hon'ble Court.

Title Deed as submitted by the local surety along with plot information report be returned/retained to/in the Office Ld. CJM, Cooch Behar for safe custody and future reference.

Let a copy of this order be sent to the Officer-in-Charge, Sadar Women PS for information and necessary action.

Dictated & Corrected,

Judge Special Court-Cum-
Addl. Sessions Judge, 2nd Court
Cooch Behar,

Judge Special Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar,

Memo No. _____

Dated : 28.06.2024

A copy of this order be forwarded to the Ld. CJM, Cooch Behar, Officer-in-Charge, Sadar Women PS for information and taking necessary action.

Judge Special Court-Cum-
Addl. Sess. Judge, 2nd Court
Cooch Behar,