

Sessions Case (POCSO) No.46/2021
ST no. 04 (08) of 2022

J.O Code- WB00732

Order No. 04 dated 06.01.2023:-

The case record is put up today by a put up petition filed on behalf of accused/petitioner namely Sudip Sarkar.

A petition is filed on behalf of the said accused/petitioner namely Sudip Sarkar alongwith downloaded copy of order of the Circuit Bench of Calcutta High Court at Jalpaiguri passed in CRM (DB) No.414 of 2022 under Sec. 439 Cr.P.C. dated 04.01.2023 in connection with Dhupguri P.S. case No.97/2021 dated 10.03.2021 u/s-363/365 of the IPC adding Section 6 of the POCSO Act and also filed a verification certificate of Ld. Advocate Aminar Hossain confirming the genuineness of the order of the Hon'ble High Court, praying for releasing of the accused/petitioner.

Heard both sides.

Perused the record and the order of the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri passed in connection with CRM (DB) No.414 of 2022 under Sec. 439 Cr.P.C. dated 04.01.2023 wherein the Hon'ble High Court was pleased to pass the order in the manner that;

"We accordingly 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 Special Court, Jalpaiguri. The petitioner shall not induce witnesses or influence them or tamper with the evidence. The additional condition is that the petitioner must report to the learned Special Court and Investigating Officer as and when the petitioner called upon to do so. The petitioner's father, Narayan Sarkar, shall stand surety for the petitioner being bailable for trial and not leaving the jurisdiction of the concerned police station while the trial continuing. If the petitioner fails to comply with the directions, learned Court shall be at liberty of cancelling the bail without any further reference to this Court. "

Let the order of the Hon'ble High Court be kept with the record.

In view of the order of the Hon'ble Circuit Bench of Calcutta High Court at Jalpaiguri passed in connection with CRM (DB) No.414 of 2022 under Sec. 439 Cr.P.C. dated 04.01.2023 the accused/petitioner, **Sudip Sarkar** shall be released on bail on furnishing bond as enumerated in the order of the Hon'ble Court. The accused/petitioner is directed to comply with the conditions as enumerated in the order of the Hon'ble High Court.

Since, the bail bond register is maintained by the office of the Chief Judicial Magistrate, Jalpaiguri the accused/petitioner is directed to furnish the bail bond in the office of the Ld. C.J.M., Jalpaiguri.

Let a copy of this order be sent to the court of Ld. C.J.M., Jalpaiguri for information and taking necessary steps.

To date (06.02.2023) for appearance of the accused/person and evidence.

D/C by me

Judge, Special Court,
(Under POCSO Act)
2ndCourt, Jalpaiguri

Judge, Special Court,
(Under POCSO Act)
2ndCourt, Jalpaiguri

