

Order No.19
Dated 16.04.2024

Record is put up today.

Now, case record is put up on the prayer of accused viz. **Nirmal Sarkar** who files through counsel authenticated copy of the Order passed by the Hon'ble Court in CRM (A) 4898 of 2023 while dealing with the application as filed at the instance of the petitioner accused herein U/s 438 Cr.P.C before the Hon'ble Court and intends to surrender before this Court.

Perused the certificate appended by the Ld. Counsel representing the petitioner/accused confirming the genuinity of the Order and also the identity proof document of the accused/ petitioners.

Let these be kept with the record.

Perused the Order dated 10.01.2024 in CRM (A) 4898 of 2023 Wherein the Hon'ble Court has been pleased to determine CRM (A) 4898 of 2023 arising out of Murshidabad Police station Case No. 379 of 2023 dated 29.05.2023 U/s 363/365/376(2)(1)/34 IPC and Section 4/6/7 of POCSO Act and 9/10 of Protection of Child Marriage Act granting bail to **Nirmal Sarkar** U/s 438 Cr.P.C under the following terms .

“Accordingly, we direct that in the event of arrest, 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, to the satisfaction of the Arresting Officer and aslo be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court. ”

Accordingly the accused **Nirmal Sarkar** surrendereed before the Court and taken into custody.

Since the Hon'ble Court has set the terms of releasing the accused on bail and there seems no change of circumstances to reconsider the same, let the accused be released on bail on same terms and conditions as detailed above and the copy of this Order with necessary documents including the copy of the order of the Hon'ble Court along with annexed documents be placed before the Ld. ACJM, Lalbagh facilitating submission of bond, which the petitioner/accused may furnish before the Ld. Court, embodying the condition mentioned in the Order of the Hon'ble Court and for further order.

Recall W/A against the accused viz. Nirmal Sarkar.

To date i.e. on 16.07.2024 for appearance and further order.

Dictd. & Cortd. by me.

Judge, Special Court,
Lalbagh, Msd.

Judge, Special Court,
Lalbagh, Murshidabad