

21.10.2020

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CRM 8435 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali P.S. Case No.613 of 2020 dated 27.08.2020 under Sections 363/365/34 of the Indian Penal Code read with Section 6 of POCSO Act.

And

In the matter of: Ayan Das

....Petitioner.

Ms. Karabi Roy

...for the Petitioner.

Mr. S.G. Mukherjee, Ld. PP.

Mr. P.P.Das

Ms. Manasi Roy

...for the State.

It is submitted on behalf of the petitioner that there was a love affair between the parties and he is in custody for 53 days.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission as there was a love affair between the parties and in the light of the period of detention suffered by the petitioner, we are of the opinion that petitioner may be granted bail.

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 Special Judge, under POCSO Act, Krishnanagar, Nadia subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and

shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Abhijit Gangopadhyay, J.)

(Joymalya Bagchi, J.)