

27.11.2020
item No. 12
Sdas
allowed

**CRM 9173 of 2020
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Onda Police Station Case No. 129 of 2020 dated 20.08.2020 under Sections 376/417/313 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

And

In Re : Bapan Malla petitioner

Mr. Soumik Ganguli
.....for the petitioner

Mr. S.S. Imam
Mr. Subrato Roy
..... for the State

Having considered the materials on record and in the light of the submission that there was a love affair between the parties and the victim is a major lady and in view of the fact that investigation is complete, we are inclined in granting bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under POCSO Act, Bankura subject to the 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 fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)