

07.12.2020
b.das
sl no. 1

**C.R.M. 9862 of 2020
(via video conference)**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with New Town P.S. Case No. 121 of 2020 dated 14.8.2020 under Section 363 of the Indian Penal Code and section 6 of the POCSO Act.

And

Allowed

In Re : Kalu @ Raju @ Suraj Giri petitioner

Mr. P Bhowmik
Mr. T P Das

..... for the petitioner

Ms. Z N Khan
Mr. MFA Begg

..... for the State

Liberty has been granted to correct the cause title of the petition.

It is submitted on behalf of the petitioner that there was a love affair between the parties and they cohabited as husband and wife. He is in custody for 124 days and investigation is complete.

Learned lawyer for the state opposes the payer for bail and submits that the victim is a minor girl.

We have considered the materials on record in the light of the submission that there was a love affair between the parties.

Keeping in mind the facts and circumstances of the case and period of detention suffered by the petitioner i.e. 124 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 CJM, North Parganas on condition that the petitioner shall appear

before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 9862 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)