

08.12.2020
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Sdas
allowed

**CRM 10004 of 2020
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bamongola Police Station Case No. 92 of 2019 dated 26.04.2019 under Section 4 of the POCSO Act.

And

In Re : Gobinda Soren petitioner

Mr. Arup Kumar Bhowmick
.....for the petitioner

Md. Anwar Hossain
Ms. Sreyashee Biswas
..... for the State

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that there was a love affair between two teen agers and in view of protracted period of detention already suffered by the petitioner i.e. one year, 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, Malda, 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.)