

09.11.2021

491

Ct. No. 29

KAUSHIK

Allowed

**C.R.M. 4778 of 2021
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Pathar Pratima** Police Station Case No. **85** of **2021** dated **18.03.2021** under Sections 363/366/376(3) of the Indian Penal Code, 1860, Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006.

And

In Re : Biswajit Nayek

..... petitioner

Mr. P.S. Mondal

.....for the petitioner

Mr. P. K. Dutta

Mr. Santanu Deb Roy

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, the petitioner and the victim were in a love relationship. The petitioner subsequently married the victim. He relies upon the original marriage certificate of the victim and the petitioner.

Heard the learned Advocate for the State.

Considering the facts and circumstances of the case and considering the fact that the petitioner and the victim are married and considering the period of detention of the petitioner, we grant 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 Additional Sessions Judge, 1st Court and Special Court under POCSO Act, Kakdwip, Nadia,** 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.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)