

24.11.2021  
Serial no.649

Ct. No. 29  
Aloke

**(Through Video Conference)**

**CRM 5058 of 2021**

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 29.07.2021 in connection with Uttarpura Police Station Case No. 34 of 2021 dated 25.01.2021 under Sections 376/323/325/379/120B of the Indian Penal Code and Sections 6 & 7 of POCSO Act.

-And-

In the matter of : **Basudev Rit**

**... ..Petitioner**

Mr. Sanjib Mitra, Advocate

Mr. S. Basu, Advocate

... .. For the Petitioner

Mr. P.K. Datta, Id. APP

Mr. Santanu Deb Roy, Advocate

... .. For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner and the de facto complainant married each other and that there is a male child born out of the wedlock.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary.

Considering the nature of relationship and the age of the victim and the subsequent development and the fate of the child, we deem it appropriate to grant bail to the petitioner.

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 Additional Sessions Judge (1<sup>st</sup> Court), Serampore, Hooghly, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at

liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is allowed.

CRM 5058 of 2021 is disposed of.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**