

15.09.2021
Serial no.11
Aloke
Ct. No.29

(Through Video Conference)

CRM 5922 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 02.09.2021 in connection with Domkal Police Station Case No. 126 of 2021 dated 19.03.2021 under Sections 363/365/376 of the Indian Penal Code read with Section 4 of the POCSO Act.

And

In the matter of : Tajrul Sk.

... ..Petitioner

Mr. Arnab Chatterjee, Advocate

... .. For the Petitioners

Mr. T.K. Ghosh, Advocate

Mr. Arindam Sen, Advocate

... ...For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that there was a love affair between the petitioner and the victim girl. He draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure. He submits that since the police submitted charge-sheet further detention of the petitioner is not necessary.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 Cr.P.C. and to the medical report. He opposes the prayer for grant of bail.

Considering the facts and circumstances of the case and the fact that the police submitted charge-sheet on conclusion of the investigation, 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 Special Court under POCSO Act, Berhampore, Murshidabad, 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 jurisdiction court without any justifiable cause, the jurisdictional court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The application for bail is allowed.

CRM 5922 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)