

09.12.2021
139
sdas
allowed

CRM 6282 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 914 of 2019 dated 09.09.2019 under Sections 363/365 of the Indian Penal Code and Section 8 of the POCSO Act.
And

In Re : Sk. Jakirul petitioner

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

Mr. N. Ahmed, learned APP
..... for the State

It is submitted by the learned Counsel appearing for the petitioner that there was a love affair between the parties.

Learned Counsel appearing for the State opposes prayer for bail.

Having considered the materials on record and keeping in mind the facts and circumstances of the case in the light of the aforesaid submission on behalf of the petitioner and the period of detention already suffered by the petitioner, we are inclined 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 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.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)