

08.11.2021

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Ct. No. 29
KAUSHIK
Allowed

C.R.M. 6763 of 2021
(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chakdah** Police Station Case No. **311** of **2021** dated **16.07.2021** under Sections 363/365 of the Indian Penal Code, 1860 with adding Section 4 of the Protection of Children from Sexual Offences Act.

And

In Re : Sourav Biswas

..... petitioner

Ms. Sananda Bhattacharya

.....for the petitioner

Mr. Avra Mukherjee

Mr. D. Mahato

....for the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that, the petitioner and the de-facto complainant were in a relationship. The petitioner did not kidnap the de-facto complainant. She highlights the change in stance of the de-facto complainant in the First Information Report, the statement under Section 161 of the Code of Criminal Procedure (Cr. P. C.) and the statement recorded under Section 164 of the Cr. P. C.

Learned advocate appearing for the State draws the attention of the Court to the medical report and the statement recorded under Section 164 Cr. P. C. In answer to query of the

Court, he submits that the police concluded the investigations and submitted charge-sheet.

Considering the fact that the police submitted charge-sheet 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 District & Sessions Judge, Special Court (Under POCSO Act), Kalyani, 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.)