

670 16.11.2021
AD Ct. No.29
(Allowed)

C.R.M. 7335 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **10/11/2021** in connection with **Harwood Point Coastal** P.S. Case No. **349 of 2021** dated **05/10/2021** under Section **363** of the Indian Penal Code and Section **6** of Protection of Children from Sexual Offences Act, 2012 (POCSO) and added Section **376(2)(n)** of the Indian Penal Code (corresponding to Special POCSO Case No:50/2021).

And

In the matter of: Indra Kumar Mantri @ Indro Kumar Montri
....petitioner.

Mr. Ayan Basu
Mr. Sandip Kumar Mondal
Mr. Gaurango Kumar Das
Mr. Sumit Routh

...for the petitioner.

Ms. Sukanya Bhattacharya
Md. Kutubuddin

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner and the victim were in a relationship. He submits that considering the period of detention and the fact that the victim girl was recovered the Court should grant bail.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure of the victim girl as also to the statement recorded under Section 161 of the Code of Criminal Procedure.

Considering the statements recorded under Section 164 of the Code of Criminal Procedure of the victim girl and Section 161 of the Code of Criminal Procedure of one person and considering the medical report and considering the period of detention, we grant bail to the petitioner.

Accordingly, the petitioner 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 Special Court under POCSO Act, Kakdwip, South 24 Parganas subject to the condition that during bail the petitioner will report to the Investigating Officer once a month till the conclusion of the investigation and he shall appear before the learned trial court on the date fixed and he shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinabove, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail being C.R.M. 7335 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)