

06.12.2021
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allowed

CRM 7393 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Muchipara Police Station Case No. 190 of 2019 dated 14.09.2019 under Sections 363/366 of the Indian Penal Code and Section 4 of the POCSO Act..

And

In Re : Abhishek Kumar Singh petitioner

Mr. Deepak Prahladka

.....for the petitioner

Mr. P. K. Datta, learned A.P.P.

Mr. Santanu Deb Roy

..... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is a young person and there was a love affair between the parties.

Learned Counsel appearing for the State opposes the prayer for bail and submits that the victim is a minor.

We have considered the materials on record in the light of the aforesaid submission made on behalf of the petitioner. Victim girl has already been examined. In view of the aforesaid facts and circumstances of the case, 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 Chief Metropolitan Magistrate, Calcutta, 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.)