

24.12.2021

66
Ct. No. 29
KAUSHIK
Allowed

C.R.M. 8532 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Sankrail** Police Station Case No. **539** of **2020** dated **04.07.2020** under Section 376(2)(n) of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act.

And

In Re : Monirul Mistri @ Khokan Mistri @ Monirul Mistry
..... petitioner

Mr. Dev Kumar Sharma
Mr. Soujanya Bandyopadhyay
.....for the petitioner

Mr. Saswata Gopal Mukherjee, learned Public Prosecutor
Ms. Faria Hossain
Mr. Aniket Mitra
....for the State

Report submitted in Court be kept with the record.

The application is taken up for consideration subsequent to the order dated December 20, 2021.

The application for bail was adjourned on such date in order to allow the victim to record the statement under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

Learned advocate appearing for the State produces a copy of the statement of the victim recorded under Section 164 of the Cr.P.C. subsequent to the order dated December 20, 2021.

In such statement, the victim states that she is married to the petitioner and that she wants to continue with the matrimonial life.

In such circumstances, 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 Chief Judicial Magistrate, Howrah**, 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.)

(Bibhas Ranjan De, J.)