

23.12.2021
Serial no. 89

Aloke

(Through Video Conference)

CRM 8850 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 21.12.2021 in connection with Kaliganj Police Station Case No. 522 of 2021 dated 03.10.2021 under Sections 363/365/379/376/120B of the Indian Penal Code and adding Section 6 of the POCSO Act.

-And-

In the matter of : Asman Sk

... ..Petitioner

Mr. Khalid Hasan, Advocate

Mr. Abhijit Singh, Advocate

... .. For the Petitioner

Mr. Zareen N. Khan, Advocate

Mr. Ashok Das, Advocate

... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the police complaint is a result of relationship going sour. He submits that the petitioner was falsely implicated. He draws the attention of the Court to the fact that the petitioner is in custody for 67 days. He submits that since police filed charge-sheet, further detention of the petitioner is not required.

Learned Advocate appearing for the State draws the attention of the Court to the age of the victim and the statement made by her under Section 164 of the Code of Criminal Procedure.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, the period of detention of the petitioner and the fact that the police filed charge-sheet, 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 at Krishnanagar, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is allowed.

CRM 8850 of 2021 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)