

C.R.M. (DB) 295 of 2022

14.02.2022
Sl. 43
Court No.29
sourav
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **25.01.2022** in connection with **Sagarpara** P.S. Case No. **38** of **2020** dated **18.08.2020** under Sections **417/376/506** of the Indian Penal Code and Section **4** of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Sagir Sk. @ Sagir Hossain Sk.**

....petitioner.

Mr. Jisan Iqubal Hossain

...for the Petitioner.

Mr. Debabrata Chatterjee

Ms. Debjani Sahu

...for the State.

The petition is taken up for consideration, subsequent to the earlier order.

The date of the earlier order be corrected as “February 3, 2022” instead of “March 3, 2022”.

Department will incorporate such correction in the order-sheet.

Report as called for by the earlier order filed in Court be taken on record.

It appears from the report that the victim married a different person subsequent to the police complaint.

Learned advocate appearing for the petitioner submits that although the victim claims herself to be a minor, she entered into a contract for marriage subsequent to the police complaint.

There is a certificate of marriage annexed to the report as called for of the victim.

Considering the period of detention of the petitioner and considering the fact that the police filed charge-sheet, 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 learned Judge, Special Court, under POCSO Act, Berhampore, Murshidabad, subject to the condition that during bail he shall appear before the learned trial court on the date fixed till the disposal of the trial 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 hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail being **CRM (DB) 295 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

