

60 22.03.2022  
AD Ct. No.29  
(Allowed)

**C.R.M. (DB) 774 of 2022**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Patrasayer** P.S. Case No. **134 of 2021** dated **16/12/2021** under Sections **363/365** of the Indian Penal Code and after filing of charge sheet no.8 of 2022 dated 23.02.2022 under Sections **363/366/376(3)** of the Indian Penal Code and Section **6** of the POCSO Act, 2012.

And

In the matter of: Surajit Gorai

....petitioner.

Mr. Samiran Mandal  
Mr. Abhinaba Dan

...for the petitioner.

Mr. S.S. Imam  
Mr. Arabinda Manna

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner and the victim were married.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. The victim is fifteen years of age.

In her statement under Section 164 of the Code of Criminal Procedure, the victim states that she went with the petitioner voluntarily and stayed at the father's house of the petitioner. She also states that she is the wife of the petitioner after she married the petitioner. She admits that there was a love affair between her and the petitioner.

In view of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the period of

detention of the petitioner and considering the fact that the police submitted charge sheet, we grant bail to the petitioner.

Accordingly, the petitioner 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 under POCSO Act, Bishnupur, Bankura, subject to the condition that during bail the petitioner shall appear before the learned trial court on the date fixed till disposal of the trial and that the petitioner 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 **C.R.M. (DB) 774 of 2022** is, thus, disposed of.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**