

28.03.2022

Serial no. 82

[Dd]

(Bail **allowed**)

CRM(DB) 817 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Kakashipara** Police Station Case No. **521** of **2021** dated **13.10.2021** under Sections **363/365/34** of the Indian Penal Code read with POCSO Case no. **61** of **2021** read with Section **6** of the POCSO Act, 2012.

-And-

In the matter of : Amal Sarkar

... .. Petitioner

*Mr. Biswarup Biswas,
Mr. Gora Chand Samanta, Advocates
... .. For the Petitioner*

*Ms. Zareen N. Khan,
Mr. Arup Sarkar, Advocates
... ..For the State*

Leave is granted to the learned advocate for the petitioner to correct the cause title of the petition.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that there was a love affair between the petitioner and the victim.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code. He submits that the victim refused to undergo any medical test. He also submits that the police filed charge sheet.

Considering the fact that that in her statement the victim acknowledges her relationship with the petitioner and considering the respective ages of the victim and the petitioner and considering the fact that 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 under POCSO Act, Krishnagar, Nadia** 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 of the petitioner is **allowed**.

CRM(DB) 817 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)