

06.04.2022
Serial no. 47
Aloke
Ct. No. 29

CRM (DB) 913 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 01.04.2022 in connection with Kaliganj P.S. Case No. 639 of 2021 dated 25.11.2021 under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

**In the matter of : Ijajul Sk @ Tufajul Sk @ Sekh
... ..Petitioner**

Mr. Sumanta Das, Advocate

... .. For the Petitioner

Mr. Anwar Hossain, Advocate

Ms. Ratna Ghosh, Advocate

... ..For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 30 days. There was a love relationship between the petitioner and the victim.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and her medical examination report.

In her statement recorded under Section 164 of the Code of Criminal Procedure the victim acknowledges a relationship between her and the petitioner. She acknowledges her relationship with the petitioner at the time of the medical examination report also.

Considering the period of detention of the petitioner and considering the fact that police filed charge-sheet and considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and her

statement to the medical officer, we are inclined to grant bail to 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, Krishnanagar, Nadia, subject to condition that 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 (DB) 913 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)