

18.04.2022

Serial no. 65

[Dd]

(Bail **allowed**)

CRM (DB) 1001 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **SC (Spl)** Case no. **01/2022** arising out of **Kenda** Police Station Case No. **04** of **2022** dated **10.01.2022** under Sections **363/365** of the Indian Penal Code with added Section **34** of the Indian Penal Code read with Section **6** of the Protection of Children from Sexual Offences Act, 2012.

-And-

In the matter of : Sk. Haydar Ansary

... .. Petitioner

Mr. Arindam Jana,
Mr. Soumajit Chatterjee, Advocates
... .. For the Petitioner

Mr. Saibal Bapuli, Id. APP
Mr. Arani Bhattacharya, Advocates
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 88 days. The police filed charge sheet and, therefore, further detention of the petitioner is not required. He submits that another co-accused was enlarged on bail by this Hon'ble Court.

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.

In her statement, the victim acknowledges that there was a relationship between her and the petitioner.

Considering the age of the victim, the period of detention of 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, Purulia** 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) 1001 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)