

CRM(DB) 1315 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 44 of 2022 dated 17.01.2022 under Sections 363/365 of the Indian Penal Code subsequently added Section 6 of the POCSO Act.

And

In Re : Md. Rockey Islam @ Rakes @ Rocky petitioner

Mr. Prabir Majumder

.....for the petitioner

Mr. Sujan Chatterjee

..... for the State

Petitioner is in custody for 88 days.

It is submitted by the learned Counsel appearing for the petitioner that the victim had voluntarily left her residence as she was forced to marry against her will.

Learned Counsel appearing for the State produces the case diary.

We have considered the materials on record. Statement of the victim girl is exonerative in nature. Under such circumstances and in view of the period of detention suffered by the petitioner, we are inclined in granting bail to him.

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 Additional Sessions Judge, Ranaghat, Nadia, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further

orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)