

08.06.2022
cm/ct 28
sl no. 67

C.R.M.(DB) No. 1458 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Dadpur P.S Case No. 105 of 2020** dated **18.09.2020** under Sections **363/366/376(2)(n)/120B/109** of the Indian Penal Code read with Sections 6/17 POCSO Act, 2012 and under Section 9 of the Child Marriage Act, 2006.

And

Allowed

In Re : Rahul Bauldas @ Tinku Bauldas

..... petitioner

Mr. Arunava Ganguly

..... for the petitioner

Mr. Bidyut Kr. Roy

Ms. Rita Datta

..... for the State

Petitioner is in custody for more than one and half years. It is submitted that there was a love affair between the parties.

Learned lawyer for the State opposes the prayer for bail. He submits the victim is a minor.

We have considered the materials on record including the statement of the victim girl in the light of the submission that there was a love affair between the parties. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the learned CJM, Hooghly, on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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

The application being CRM(DB) No.1458 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)