

10.06.2022
Sl. No.54
akd
[ALLOWED]

C. R. M. (DB) 1556 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.06.2022 in connection with Sonarpur Police Station Case No. 1869 of 2018 dated 01.11.2018 under Section 363 of the Indian Penal Code, Section 6 of the POCSO Act and Sections 9/10 of the Prohibition of Child Marriage Act which ended up in charge-sheet No. 266/2022 dated 31.03.2022 under Sections 363/366/376(2)(n)(3) of the Indian Penal Code, Section 6 of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act.

And

In Re: **Gopal Naiya**

... .. Petitioner

Mr. Angshuman Chakraborty

... .. for the petitioner

Ms. Faria Hossain

Mr. Anand Kesari

... .. for the State

It is submitted on behalf of the petitioner there was a love affair and parties had married each other.

Learned advocate appearing for the State opposes the prayer for bail.

Having considered the materials on record and keeping in mind the nature of allegations in the light of the submission that parties had married each other, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Gopal Naiya**, 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 the POCSO Act, Baruipur, South 24-Parganas subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders 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 for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)