

13.06.2022
tkm/ct 28
sl no. 58

C.R.M. (DB) 1611 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kotwali P.S case no. 655 of 2021 dated 11.11.2021 under section 363/365/120B/506 IPC adding section 376 IPC and section 6 of the POCSO Act
And

Allowed

In Re : Samser Ali Sha @ Samsher Ali Shah petitioner

Mr. A K Samanta

..... for the petitioner

Mr. Avishek Sinha

..... for the State

We have considered materials on record including the statement of victim girl which shows there was a love affair between the parties. She voluntarily cohabited with the victim.

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 each, one of whom must be local, to the satisfaction of the learned CJM, Paschim Medinipur 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) 1611 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)