

14.06.2022
cm/ct 28
sl no. 35

C.R.M. (DB) No.1624 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Titagarh P.S Case No. 403/2021** dated **15.06.2021** under Sections **363/366A** of the Indian Penal Code and read with Sections 6 of POCSO Act.

And

Allowed

In Re : Sambhu Das @ Chua

..... petitioner

Mr. Bitasok Banerjee

..... for the petitioner

Mr. Abhra Mukherjee
Mr. Dipankar Mahata

..... for the State

Petitioner is in custody for 10 months. It is further submitted that there was a love affair between the parties.

Learned lawyer for the State opposes the prayer for bail. He submits victim was minor and had become pregnant.

We have considered the materials on record in the light of the submission that there was a love affair between the parties. Keeping in mind the aforesaid fact 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 bonds of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Judge under POCSO Act, Barrackpore, North 24 Parganas 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 petitioner fail 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. 1624 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)