

13.06.2022.
77.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1640 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal P. S. Case No.55 of 2022 dated 27.01.2022 under Section 376(1) of the Indian Penal Code and Section 4 of POCSO Act.

In the matter of : Jelhok Mondal @ Jelhoque Mondal.
.... Petitioner.

Mr. Arnab Chatterjee,
Ms. Piu Roy.
...for the Petitioner.

Mr. S. S. Imam,
Mr. R. Jana.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner there was a love affair between the parties and he has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail and submits that the victim is a minor.

We have considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission there was a love affair between the two young persons, we are of the opinion further detention of the petitioner is not necessary and he may be granted bail.

Accordingly, the petitioner shall 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 Judge, Special Court under the POCSO Act,

Berhampore, Murshidabad subject to condition that the 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)