

16.06.2022.  
94.  
Ct.No.28.  
as  
(Allowed)

**C.R.M. (DB) 1844 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dholahat P. S. Case No.415 of 2021 dated 21.10.2021 under Section 376 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Chhayedali Purkait @ Sayed.  
.... Petitioner.

Mr. Sabir Ahmed,  
Mr. Sandip Kr. Mondal,  
Mr. Apan Saha.  
...for the Petitioner.

Ms. Faria Hossain,  
Mr. Anand Keshri.  
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner there is 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.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submissions made on behalf of the petitioner and in view of the period of detention suffered by the petitioner i.e. 237 days, we are inclined to grant bail to the petitioner.

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, Kakdwip, South 24 Paraganas 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.)**