

24.06.2022
tkm/ct 28
sl no. 35

C.R.M. (DB) 2001 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. 122 of 2022 dated 25.3.2022 under sections 376(2f)(2n) IPC and section 6 of the POCSO Act

And

Allowed

In Re : Sabir Hossain Shah @ Sabir Sah @ Abbu

..... petitioner

Mr. Ayan Basu
Mr. S K Mondal
Mr. S Routh

..... for the petitioner

Mr. Joedeeep Roy
Mr. Asif Dewan

..... for the State

Petitioner is in custody for 92 days. It is submitted that there was a love affair between the parties. Investigation is complete.

Learned lawyer for the State opposes the prayer for bail.

Having considered materials on record and bearing in mind the nature of allegations in the light of the submission that that there was a love affair between the parties and in view of the period of detention suffered by the petitioner and as investigation is complete, 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 Judge, Special Court under POCSO Act, Kakdwip, South 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 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) 2001 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)