

13.07.2022
Sl. No.23
akd
[ALLOWED]

C. R. M. (DB) 2259 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.07.2022 in connection with Ranaghat Police Station Case No. 266 of 2022 dated 22.04.2022 under Sections 363/366/427/376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Saifuddin Mondal***

... .. Petitioner

Ms. Sananda Bhattacharyya

... .. for the petitioner

Ms. Faria Hossain

Mrs. Sonali Das

Ms. Mamata Jana

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 81 days. It is further submitted there was a love affair between the parties and petitioner has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statement of the victim recorded under Section 164 of the Code of Criminal Procedure corroborates the submission of a love affair between the parties. Keeping in mind the facts and circumstances of the case and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Saifuddin Mondal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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, Ranaghat, Nadia subject to condition that the

said 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 or commit similar offences in future.

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 for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)