

13.07.2022
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allowed

CRM(DB) No. 2269 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kultali Police Station Case No. 99 of 2022 dated 25.02.2022 under Sections 363/365 of the Indian Penal Code and adding Sections 366/120B of the Indian Penal Code and adding Section 06 of the POCSO Act subsequently charge-sheet submitted under Sections 363/365/366/376(3)/120B of the Indian Penal Code and Section 04 of the POCSO Act.

And

In Re : Dabrata Mondal @ Debabrata Mondal petitioner

Mr. Angshuman Chakraborty

Mr. Ashutosh Mandal

Mr. Sasanka Sekhar Saha

.....for the petitioner

Ms. Anasuya Sinha

Ms. Jonaki Saha

..... for the State

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 105 days. Investigation is complete. It is also submitted that there was a love affair between the parties.

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

We have considered the materials on record. Statement of the victim girl endorses the submission with regard to amorous relationship between the parties.

Under such circumstances and the period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall 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 Chief Judicial Magistrate at Baruipur, South 24 Parganas, on conditions that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)