

22.07.2022
Sl. No.24
akd
[ALLOWED]

C. R. M. (DB) 2403 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.07.2022 in connection with Goghat Police Station Case No. 119 of 2021 dated 12.05.2021 under Sections 363/365/376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act. (POCSO Case No.23 of 2021)

And

In Re: **Ajoy Ruidas**

... .. Petitioner

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

... .. for the petitioner

Ms. Faria Hossain
Mr. Anand Kesari

... .. for the State

Leave is granted to the learned advocate-on-record for the petitioner to correct the cause title in course of this day.

It is submitted on behalf of the petitioner that he is in custody for about 258 days. It is further submitted there was a love affair between the petitioner and the victim and they had eloped.

Learned advocate appearing for the State opposes the prayer for bail and submits victim was a minor and became pregnant.

We have considered the materials on record including the evidence of the minor victim. She corroborates the submission of the petitioner that there was a love affair between the parties. Keeping in mind the aforesaid fact and as the vulnerable witness has already been examined, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Ajoy Ruidas**, 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, Arambagh, Hooghly 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.)