

25.07.2022.
23.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2425 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rampurhat P. S. Case No.282 of 2022 dated 25.02.2022 under Sections 376/417 of the Indian Penal Code read with Sections 4 / 6 of the POCSO Act.

In the matter of : Chandan Let.

.... Petitioner.

Mr. Bitasok Banerjee

...for the Petitioner.

Mr. Joydeep Roy,
Ms. Sujata Das.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 60 days. It is submitted there was a love affair between the parties. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the victim girl. Allegation of rape requires to be assessed in the light of the submission there was a love affair between the parties.

Under such circumstances and in view of period of detention suffered by the petitioner and as investigation is complete, 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, Rampurhat, Birbhum subject to condition that he 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.)