

28.07.2022.
53.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2496 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gurguripal P. S. Case No.26 of 2022 dated 15.02.2022 under Sections 363/365 and adding Section 376(1) of the Indian Penal Code and Section 4 of the POCSO Act.

In the matter of : Bapi Dolai.

.... Petitioner.

Mr. Noni Gopal Chakraborty.

...for the Petitioner.

Mr. S. S. Imam,
Mr. R. Jana.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 158 days. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail and submits victim is a minor and had become pregnant due to cohabitation.

We have considered the materials on record including the statement of the victim girl. She appears to have voluntarily accompanied the petitioner. Keeping in mind the facts and circumstances of the case and the period of detention suffered by the petitioner, 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, Paschim Medinipur 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.)