

28.07.2022.
58.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2502 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raghunathpur Women P. S. Case No.04 of 2022 dated 25.02.2022 under Section 4 of the POCSO Act read with Section 506 of the Indian Penal Code.

In the matter of : Goutam Das.

.... Petitioner.

Mr. Soumik Ganguly.

...for the Petitioner.

Mr. Bidyut Kr. Roy,
Ms. Rita Datta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 138 days. It is contended investigation is complete.

Learned Advocate for the State opposes the prayer for bail and submits victim had been forcible ravished.

We have considered the materials on record. Allegation of forcible rape requires to be assessed in the light of the submission there was a love affair between the parties. Keeping in mind the aforesaid fact and the 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, Raghunathpur, Purulia 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.)