

29.07.2022
Sl. No.23
akd
[ALLOWED]

C. R. M. (DB) 2517 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.07.2022 in connection with Midnapore Women Police Station Case No. 24 of 2022 dated 27.03.2022 under Sections 363/365/376(3) of the Indian Penal Code read with Section 4 of the POCSO Act.

And

In Re: **Md. Rehan**

... .. Petitioner

Mr. Siddhartha Sarkar

... .. for the petitioner

Ms. Anasuya Sinha

Mr. Pinak Kr. Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 79 days. It is further submitted there was a love affair between the parties and petitioner has been falsely implicated in the instant case.

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

We have considered the materials on record including the statement of the victim girl. Victim girl has corroborated the submission of the petitioner with regard to amorous relationship between the parties. Keeping in mind the aforesaid fact and period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Md. Rehan**, 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, Paschim Medinipur 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.)