

02.08.2022.
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(Allowed)

C.R.M. (DB) 2559 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kakdwip P. S. Case No.127 of 2022 dated 09.05.2022 under Sections 363/365 of the Indian Penal Code and charge sheet submitted under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Bilash Bar.

.... Petitioner.

Mr. Ayan Basu,
Mr. Sandip Kr. Mondal,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Prasun Kr. Datta, ld. A.P.P.,
Mr. Nirupam Dhali.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 74 days. It is contended there was a love affair between the petitioner and the victim. She voluntarily left her parental home.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statement of the victim corroborates the submission regarding amorous relationship between the parties. Under such circumstances and bearing in mind 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, Kakdwip South 24-Paraganas subject to condition that the 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.

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.

The application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)