

02.08.2022.
25.
as
(Allowed)

C.R.M. (DB) 2564 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar P. S. Case No.583 of 2022 dated 13.04.2022 under Sections 363/365/366A of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Raju Sk.

.... Petitioner.

Mr. Kalidas Saha.

...for the Petitioner.

Mr. Tanmoy Kr. Ghosh,
Ms. Sonali Bhar.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 109 days. It is submitted there was a love affair between the parties and they had entered into marriage. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the victim lady. Petitioner had voluntarily brought the victim to the police station. In view of the aforesaid circumstance 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, Malda

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.)