

04.08.2022
cm/ct 28
sl no. 17

C.R.M. (DB) 2595 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. 613 of 2022 dated 20.04.2022 Section 6 of the POCSO Act.

Allowed

In Re : Sanirul Sk @ Saniul

..... petitioner

Mr. Bellal Sk
Mr. M.A. Jinnah
Mr. Soumen Mandal

..... for the petitioner

Mr. Swapan Banerjee, Sr. Govt. Adv.
Mr. Anindya Sundar Chatterjee

..... for the State

Petitioner is in custody for 102 days. It is submitted that there was a love affair between the parties.

Learned Senior Government advocate appearing for the State opposes the prayer for bail. He submits victim is a minor and had become pregnant. She was administered drugs for the purpose of abortion.

We have considered the materials on record including statement of the minor victim. In her statement she admits there was a love affair between the parties. No forensic report with regard to administration of drugs on the victim is placed before us.

In view of the aforesaid circumstances and period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 POCSO Act, Malda on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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 being CRM(DB) No. 2595 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)