

05.08.2022.
18.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2632 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali P. S. Case No.479 of 2022 dated 19.05.2022 under Sections 341/324 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Subhajit Mondal.

.... Petitioner.

Ms. Sananda Bhattacharyya.

...for the Petitioner.

Mr. S. S. Imam,
Mr. S. Kundu.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 78 days. It is submitted there was a love affair between the parties.

Learned Advocate for the State opposes the prayer for bail and submits injuries were found on the body of the victim.

We have considered the materials on record. Statement of the victim recorded under Section 164 of the Code of Criminal Procedure is exonerative in nature. In view of the aforesaid circumstance, we are of the opinion further detention of the petitioner is not necessary and he may be granted bail.

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,

Ranaghat, Nadia 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.)