

05.08.2022.
21.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2635 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Md. Bazar P. S. Case No.144 of 2022 dated 13.05.2022 under Sections 376(3)/506 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

In the matter of : Sarifuddin Sk @ Raja @ Raja Sekh.
.... Petitioner.

Mr. Sujoy Sarkar.
...for the Petitioner.

Mr. Joydeep Roy,
Ms. Sujata Das.
...for the State.

Liberty is given to the learned Advocate-on-record of the petitioner to correct the cause title of the petition.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 85 days. It is submitted there was a love affair between the parties.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statement of the victim girl endorses the submission of the petitioner regarding amorous relationship between two young persons. In view of the aforesaid fact and 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, Suri, Birbhum 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.)