

05.09.2022
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allowed

CRM(DB) No. 2996 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baruipur Police Station Case No. 284 of 2022 dated 19.02.2022 under Sections 363/365 of the Indian Penal Code and adding Section 06 of the POCSO Act and submitted charge-sheet under Sections 363/365 of the Indian Penal Code and Section 06 of the POCSO Act.

And

In Re : Saman Khan @ Salman Khan petitioner

Mr. Angshuman Chakraborty

Mr. Ashutosh Mondal

.....for the petitioner

Md. Anwar Hossain

Ms. Sreyashee Biswas

..... for the State

Learned Counsel for the petitioner submits he is in custody for 190 days. It is also submitted that there was a love affair between the parties. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail and submits victim is a minor girl.

We have considered materials on record including statement of the victim girl who states there was a love affair between two young persons. Keeping in mind the aforesaid fact and period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief

Judicial Magistrate, Alipore, South 24 Parganas, on condition that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)