

21.09.2022.
19.
as
(Allowed)

C.R.M. (DB) 3189 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bishnupur P. S. Case No.111 of 2022 dated 04.07.2022 under Sections 9/10 of the Prohibition of Child Marriage Act and charge sheet submitted under Sections 9/10 of the Prohibition of Child Marriage Act and Section 4 of the POCSO Act.

In the matter of : Partha Lohar @ Shyam Lohar.
.... Petitioner.

Mr. Samiran Mandal,
Mr. Abhinaba Dan.
...for the Petitioner.

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

Petitioner is in custody for 79 days. It is submitted he has been falsely implicated in the instant case. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. She submits victim was a minor and had been given in marriage to the petitioner.

We have considered the materials on record. Statement of the victim is exonerative in nature.

In view of the aforesaid materials on record, 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 Chief Judicial Magistrate, Bankura at Bishnupur 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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)