

04.11.2022.
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as
(Allowed)

C.R.M. (DB) 3862 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chinsurah P. S. Case No.260 of 2021 dated 25.06.2021 under Sections 376(3)/506 of the Indian Penal Code read with Sections 4(2)/6(1) of the POCSO Act.

In the matter of : Subrata Biswas @ Mamun Bauldas.
.... Petitioner.

Mr. Arunava Ganguly.
...for the Petitioner.

Mrs. Anasuya Sinha,
Mr. Pinak Kumar Mitra.
...for the State.

Petitioner is in custody for more than a year. He submits there was a love affair between the parties. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the minor victim. Her statement shows there was an amorous relation between the two young persons.

In view of the aforesaid circumstances 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 Chief Judicial Magistrate, Chinsurah, Hooghly 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.)