

10.11.2022.
18.
as
(Allowed)

C.R.M. (DB) 3248 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nandakumar P. S. Case No.286 of 2021 dated 17.07.2021 under Sections 376(2)(h)/376(2)(n)/313/315/318 of the Indian Penal Code and Section 6 of the POCSO Act and charge sheet submitted under Sections 376(2)(n)/313/315/318 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Sambhu Das.

.... Petitioner.

Mr. Abhra Mukherjee,
Mr. Sauradeep Dutta.

...for the Petitioner.

Mrs. Anasuya Sinha,
Mr. Pinak Kr. Mitra.

...for the State.

Ms. Reshmi Khatun.

...for the de-facto complainant.

Victim is present in Court. She has attained marriageable age.

Learned Advocate representing the victim submits she does not oppose the bail prayer of the petitioner and desires to marry him.

Petitioner is also willing to marry the victim.

Under such circumstances, 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, Tamruk, East Medinipur

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.)