

28.09.2022.
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as
(Allowed)

C.R.M. (DB) 3282 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hirapur P. S. Case No.11 of 2022 dated 14.01.2022 under Sections 363/365 of the Indian Penal Code and added Sections 4/6 of the POCSO Act.

In the matter of : Sukdeb Koiri @ Sukhdev Kouri.
.... Petitioner.

Mr. Apurba Kr. Datta.
...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Subrata Roy.
...for the State.

It is submitted on behalf of the petitioner that 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 victim lady who states there was a love affair between herself and the petitioner.

In view of the aforesaid fact, period of detention suffered by the petitioner i.e. 96 days and as investigation is complete, 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, Asansol 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.)