

28.09.2022.
74. SL
as
(Allowed)

C.R.M. (DB) 3342 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.217 of 2022 dated 13.06.2022 under Sections 363/366 of the Indian Penal Code and Section 9 of the Prohibition of Child Marriage Act and Section 6 of the POCSO Act.

In the matter of : Sabuj Samanta @ Samir Samanta.
.... Petitioner.

Mr. A. Karmakar,
Mr. A. K. Bhowmick.

...for the Petitioner.

Mr. A. Sinha.

...for the State.

Petitioner is in custody for 103 days. It is submitted there was a love affair between the parties. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits victim is a minor.

We have considered the materials on record including the statement of the victim girl who states there was a love affair between the parties.

In view of the aforesaid fact 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, Purba Medinipur at

Tamluk 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.)