

28.09.2022
as/ct 28
sl no. 71

C.R.M. (DB) 3339 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Purba Jadavpur P.S. Case No. 37 dated 26.05.2022 under Section 363 of the Indian Penal Code and Sections 6 of the Protection of Children from Sexual Offences Act, 2012.

Allowed

In Re : Saikat Mondal

..... petitioner

Mr. Santanu Maji
Ms. Payel Shome
Ms. Nabamita Kapat

..... for the petitioner

Md. Anwar Hossain
Mr. Benajir Hasna

..... for the State

Petitioner is in custody for 68 days. He submits that there was a love affair between the parties. He prays for bail.

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

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

Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 Judge Special Court and 2nd Additional Sessions Judge at Alipore, South 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not

intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM(DB) No. 3339 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)