

29.09.2022

dd/ct 28
sl no. **67**

C.R.M. (DB) 3380 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **ST-04(08) 2022** arising out of **Dutta Pukur** P.S case no. **498** of **2022** dated **20.05.2022** under sections **376** of the IPC read with Section **6 POCSO Act, 2012.**
and

Allowed

In Re : **Rahit Mondal @ Raja @ Rohit Mondal**
..... petitioner

Mr. Shekhar Barman
Mr. Subhasish Pachhal,
..... for the petitioner

Mr. Rudradipta Nandy, Id. APP
Ms. Sonali Das,
..... for the State

Petitioner is in custody for 132 days. He submits that there is a love affair between the parties. He prays for bail.

Learned layer for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the minor. Her statement is exonerative in nature.

In such circumstances, 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 under POCSO Act, Barasat, North 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 **C.R.M. (DB) 3380 of 2022** is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)