

29.09.2022

dd/ct 28

sl no. **66**

C.R.M. (DB) 3379 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. **10 of 2022** dated **08.01.2022** under sections **363/366/506/34** of the IPC adding Sections **376(2)(n)/376(3)** of IPC and section **6** of the Protection of Children from Sexual Offence Act, 2012 and section **9** Prohibition of Child Marriage Act, 2006 giving rise to ST No.56 of 2022 (SC No. 62/2022)

and

Allowed

In Re : Susanta Bhunia

..... petitioner

Mr. Amal Krishna Samanta

..... for the petitioner

Ms. Zareen N. Khan,

Mr. Ashok Das,

..... for the State

Learned lawyer for the petitioner submits that there is a love affair between the parties. At the behest of the parents of the victim, he has been falsely implicated in a series of cases.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials in the case diary. The statement of the minor victim is exonerative in nature.

In view of the aforesaid circumstance and the period of detention suffered by the petitioner, i.e. 155 days, 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, Tamluk, Purba Medinipur 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) 3379 of 2022** is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)