

29.09.2022
118
tkm/sdas
allowed

CRM(DB) No. 3435 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Patashpur Police Station Case No. 320 of 2022 dated 02.06.2022 under Sections 363/365/34 of the Indian Penal Code and charge-sheet submitted under Sections 363/365/34 of the Indian Penal Code read with Section 6 of the POCSO Act read with Section 9 of the Prohibition of Child Marriage Act.

And

In Re : Sankar Jana petitioner

Mr. Mritunjoy Chatterjee
Mr. G.N. Imrohi
Mr. Debapriya Mazmder
.....for the petitioner

Mr. Binay Panda
Mr. Subham Kanti Bhakat
..... for the State

Learned Counsel for the petitioner submits he is in custody for 110 days. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Statement of the victim girl corroborates the statement of the petitioner with regard to love affair between the parties.

Under such circumstances and in view of period of detention suffered by the petitioner, we are inclined in granting bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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, Contai, Purba Medinipur, on condition that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)