

11.11.2022.  
19.  
as  
(Allowed)

**C.R.M. (DB) 3916 of 2022**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Narendrapur P. S. Case No.1130 of 2020 dated 19.11.2020 under Sections 363/365/366/376(3) of the Indian Penal Code and Section 6 of the POCSO Act and Section 9 of the Child Marriage Act.

In the matter of : Kanhu Mondal @ Kanu Mondal.  
.... Petitioner.

Mrs. Sonali Das.  
...for the Petitioner.

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

Petitioner is in custody for 188 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.

We have considered the materials on record. Statement of the minor victim corroborates the submission of the petitioner with regard to a love affair between two young persons.

In view of the aforesaid circumstance 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 Judge, Special Court under the POCSO Act, Baruipur, South 24-Paraganas 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.)**