

14.11.2022
tkm/ct 28
sl no. 31

C.R.M. (DB) 3936 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Manikchak P.S case no. 281 of 2022 dated 10.6.2022 under sections 417/376/506/34 of the IPC and section 6 of the POCSO Act

and

Allowed

In Re : Bishal Parihar

..... petitioner

Mr. S S Saha

..... for the petitioner

Mr. Joydeep Roy

Ms. Sujata Das

..... for the State

Petitioner is in custody for 158 days. It is submitted that there was a love affair between the parties. He prays for bail.

Learned lawyer for the State opposes the prayer for bail and submits victim was a minor.

We have considered the materials on record. Statement of the minor victim shows there was a love affair between the parties.

Keeping in mind the aforesaid circumstance 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, ADJ 2nd Court, Malda (I/C) 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) 3936 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)