

06.12.2022
sdas/tkm/ct 28
sl no. 43

C.R.M. (DB) 4301 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Airport P.S case no. 166 of 2022 dated 10.6.2022 under section 376 of the IPC read with section 363/365 of the IPC and section 4 of the POCSO Act

and

Allowed

In Re : Sahadev Patra

..... petitioner

Mr. R Agarwal

..... for the petitioner

Mr. N Ahmed

Ms. Trina Mitra

..... for the State

Petitioner is in custody for 178 days. He submits there was a love affair between the parties. He prays for bail.

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

We have considered the materials on record. Statement of the victim discloses an intimate relationship between the parties.

Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz. Sahadev Patra 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 and First Additional Sessions Judge at Barrackpore 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) 4301 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)