

22.12.2022.  
21.  
as  
(Allowed)

**C.R.M. (DB) 4505 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.1066 of 2022 dated 27.09.2022 under Sections 376(2)(n)/313/120B of the Indian Penal Code and Sections 06/17 of the POCSO Act.

In the matter of : Ayan Karmakar.

.... Petitioner.

Mr. Angshuman Chakraborty.

...for the Petitioner.

Ms. Faria Hossain,  
Mr. Anand Keshari.

...for the State.

Petitioner submits there was an amorous relationship between two college going students. He has been falsely implicated in the instant case due to misunderstanding. He prays for bail.

Learned Advocate for the State produces the Case Diary.

We have considered the statement of the victim. Her statement is exonerative in nature. Hence, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Ayan Karmakar 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 Chief Judicial Magistrate, Alipore 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.)**