

25.01.2023.
23.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 155 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Narendrapur P. S. Case No.952 of 2022 dated 02.09.2022 under Sections 363/365/120B/504 of the Indian Penal Code and charge sheet submitted under Sections 363/365/504/506/120B of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Bhola @ Mongal Barik.

.... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. Atif Ahmed Siddiqui.

...for the State.

Mr. Manas Patherya.

...for the de-facto complainant.

Petitioner is in custody for 142 days. It is contended there was a love affair between the parties. He prays for bail.

Learned Advocate for the State produces the case diary.

Learned Advocate for the de-facto complainant appears for the survivor.

We have considered the materials on record. Allegation is to be assessed in the light of the submission that there was a love affair between young persons during trial.

Accordingly, the petitioners viz., Bhola @ Mongal Barik 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.)