

30.01.2023
tkm/ct 28
sl no. 36

C.R.M. (DB) 223 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gazole P.S case no.435 of 2019 dated 14.9.2019 under sections 493/376 adding section 4 of the POCSO Act
and

Allowed

In Re : Md. Hasanur @ Hasanujjaman

..... petitioner

Mr. Rana Mukherjee

Mr. R Mukherjee

..... for the petitioner

Mr. Tanmoy Kr. Ghosh

Mr. Arindam Sen

..... for the State

Notice upon the victim is placed on record. Victim has been notified.

Nobody appears for the victim.

We have considered the statement of the victim. There was consensual relationship between two young persons.

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 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, Additional District Judge, 2nd Court, Malda (In-charge) 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) 223 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)