

15.02.2023.
46.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 379 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tangra P. S. Case No.191 of 2022 dated 10.07.2022 under Section 363 of the Indian Penal Code and charge sheet submitted under Sections 363/366A/376 of the Indian Penal Code and Sections 4/6 of the POCSO Act and Section 9 of the Prohibition of Child Marriage, 2006.

In the matter of : Pankoj Ram.

.... Petitioner.

Mr. Sabir Ahmed,
Mr. Shraman Sarkar,
Mr. Apan Saha.

...for the Petitioner.

Mr. Tanmoy Kr. Ghosh, Id. SGA,
Mrs. Sonali Bhar.

...for the State.

Petitioner is in custody for 217 days. It is submitted there was a love affair between the parties. He prays for bail.

State submits report. From the report it appears subsequent to registration of the case, victim committed suicide.

We have considered the materials on record. Statement of the victim shows there was a love affair between the parties. We have also considered the report. Petitioner has not been implicated in the suicide of the victim.

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

Accordingly, the petitioner viz., Pankoj Ram 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 Additional Chief Judicial Magistrate, Sealdah, 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.)