

01.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(DB) 611 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Pursurah** Police Station Case No.**191** of **2022** dated **02.11.2022** under Sections 363/365/376(2)(n) of the Indian Penal Code and Sections 4/6 of Protection of Children from Sexual Offences Act and Section 9 of the Prohibition of Child Marriage Act.

And

In the matter of: Sudipta Porel @ Sudip Porel

..... petitioner

Mr. Uday Sankar Chatterjee,
Mr. Suman Sankar Chatterjee,
Mr. Pranoy Basak

....for the petitioner

Mrs. Zareen N. Khan,
Mr. Arup Sarkar

....for the State

Petitioner is about 19 years of age.

Petitioner is in custody for 93 days.

Police filed chargesheet.

The victim in her statement recorded under Section 164 of the Criminal Procedure Code states that she went voluntarily with the petitioner in order to avoid getting married of to a different person.

Considering the period of detention of the petitioner, the gravity of the offence and the complicity of the petitioner therein

as also the statement of the victim recorded under Section 164 of the Criminal Procedure Code, we grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 (POCSO Act), Arambagh, Hooghly, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/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 the bail of the petitioner without further reference to this Court.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)