

02.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(DB) 637 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Domjur** Police Station Case No.**907** of **2022** dated **09.11.2022** under Sections 363/365 of the Indian Penal Code corresponding chargesheet no. 06/2023 dated 14.01.2023 under Sections 363/365/366/376(2)(n)/376(3) of the Indian Penal Code and under Sections 6 and 7 of the POCSO and Section 9 of the Prohibition of Child Marriage Act.

And

In the matter of: Surojit Das @ Becho

..... petitioner

Mr. Ramashish Mukherjee

....for the petitioner

Ms. Faria Hossain,

Mr. Anand Keshari

....for the State

Police filed chargesheet.

The petitioner is in custody for 112 days.

Petitioner is aged about 24 years.

The victim recorded her statement under Section 164 of the Criminal Procedure Code where she suggests that the relationship was consensual.

Considering the period of detention of the petitioner and considering the fact that police filed chargesheet and considering the age of the petitioner, we grant bail.

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 (POCSO) Court, Howrah, 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.)