

13.03.2023
tkm/ct 28
sl no. 79

C.R.M. (DB) 660 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with English Bazar P.S case no. 1135 of 2022 dated 16.7.2022 under sections 448/323/506 of the IPC and section 6 of the POCSO Act

and

Allowed

In Re : Sajiul Sai

..... petitioner

Mr. A K Bhowmick

..... for the petitioner

Mr. T K Ghosh

Mr. Arindam Sen

Ms. Pritha Pual

..... for the State

Mr. Dhananjoy Banerjee

Ms. Oindrila Ghosh

..... for the de facto

It is submitted on behalf of the petitioner that there was a love affair between the parties. They wish to marry each other.

This is not disputed by the learned lawyer for the de facto complainant.

Learned lawyer for the State submits victim was a minor.

We have considered the materials on record. There was a love affair between two young persons.

In view of the aforesaid circumstances, 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 Additional District and Sessions Judge, 2nd Court, Special Court, Malda 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) 660 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)