

21.02.2023
Sl. No.41
[ALLOWED]

C. R. M. (DB) 691 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.02.2023 in connection with Murshidabad Police Station Case No.738 dated 09.11.2022 under Sections 363/365/34 of the Indian Penal Code and Section 4 of the POCSO Act.

And

In Re: ***Asit Bedia @ Asit Kumar Bedi***

... .. Petitioner

Mr. Navanil De
Mr. Rajeshwar Chakraborty
Mr. Srinjan Ghosh
Mr. Subhrajit Dey
Ms. Monami Mukherjee

... .. for the petitioner

Mr. Sujan Chatterjee

... .. for the de-facto complainant

Mr. S. S. Imam
Mr. S. Kundu

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about a month. It is further submitted there was a love affair between the parties.

Learned Advocate for the State opposes the prayer for bail.

Learned Advocate for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Statement of the victim shows there was a love affair between two young persons. Under such circumstances and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Asit Bedia @ Asit Kumar Bedi***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one

of whom must be local, to the satisfaction of the learned Judge, Special Court under the POCSO Act, Lalbagh, Murshidabad subject to condition that the said petitioner 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 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 for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)