

17.03.2023.
22.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 822 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sainthia P. S. Case No.378 of 2022 dated 07.12.2022 under Sections 363/365 of the Indian Penal Code and Section 4/6 of the POCSO Act.

In the matter of : Samirul Sk. @ Sekh Samirul.

.... Petitioner.

Mr. Saiful Alam.

...for the Petitioner.

Mr. P. K. Dutta, Id. A.P.P.,

Mr. Pradipta Kr. Ganguly.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record including the statement of the minor. It appears there was a love affair between two young persons. Petitioner is in custody for 73 days.

In view of the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Samirul Sk. @ Sekh Samirul 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 under the POCSO Act, Suri, Birbhum 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.)