

13.03.2023.
40.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 902 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagarpara P. S. Case No.275 of 2022 dated 29.10.2022 under Sections 341/376 of the Indian Penal Code and Section 4 of the POCSO Act.

In the matter of : Rahul Sk. @ Sahul Sk.

.... Petitioner.

Mr. Arnab Chatterjee,
Ms. Channdrima Debnath.

...for the Petitioner.

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

...for the State.

Mr. Jisan Iqubal Hossain.

...for the de-facto complainant.

It is contended there was a love affair between two young persons. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

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

We have considered the materials on record including the statement of the minor. Under such circumstances, we are of the opinion further detention of the petitioner would not enure to the ends of justice. Hence, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Rahul Sk. @ Sahul Sk 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, Berhampore, Murshidabad 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.)