

20.03.2023
tkm/ct 28
sl no. 47

C.R.M. (DB) 934 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Howrah PS case no. 525 of 2022 dated 4.12.2022 under sections 363/376(2)(n) IPC read with section 6 of the POCSO Act

Allowed In Re : Bikram Polley @ Biki and petitioner

Mr. D P Mitra

..... for the petitioner

Mr. Arijit Ganguly

Mr. S K Dan

..... for the State

Affidavit of service is filed.

Nobody appears for the victim.

We have considered the materials on record including the statement of the minor recorded under section 164 Cr.P.C. She states that there was a love affair between two young persons.

Under such circumstances and in view of the period of detention suffered by the petitioner i.e. 102 days, we are inclined to enlarge the petitioner on bail.

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 Judge, Special Court under POCSO Act at Howrah 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) 934 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)