

27.03.2023
tkm/ct 28
sl no. 76

C.R.M. (DB) 1130 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranaghat Women PS case no. 31 of 2021 dated 5.5.2021 under sections 376(3)/376(2)/419 of the IPC and section 6 of the POCSO Act

And

Allowed

In Re : Prasenjit Kanshabanik @ Kangsabanik petitioner

Mr. Sagar Saha
Mr. S Debnath
Ms. R Roy

..... for the petitioner

Mr. S G Muherjee, Id PP
Mr. P P Dss
Mrs. Manasi Roy

..... for the State

Petitioner is in custody for 668 days. He submits victim has been examined. He renews his bail prayer.

Learned lawyer for the State opposes the bail prayer. He submits victim is a minor.

We have considered the materials on record. It appears that there was an amorous relationship between the parties. Her deposition has already been recorded.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to 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 Judge, Special Court under POCSO Act, Ranaghat Nadia 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) 1130 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)