

17.04.2023
tkm/ct 28
sl no. 36

C.R.M. (DB) 1273 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raninagar PS case no. 557 of 2022 dated 16.12.2022 under sections 376/417 of the IPC read with section 6 of the POCSO Act, charge sheet submitted under sections 342/376(2)(n)/417 IPC read with section 6 of the POCSO Act

And

Allowed

In Re : Sakline Mustaque

..... petitioner

Ms. M Gomes

Md. G N Imrohi

..... for the petitioner

Mr. A A Siddique

..... for the State

Report is placed on record.

Nobody appears for the de facto complainant.

We have considered the materials on record. Though the petitioner is a minor, it is contended there was a love affair between two young persons.

Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner i.e. 119 days and as investigation is complete, we are inclined to grant bail to the 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 Lalbag, Murshidabad 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) 1273 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)