

10.05.2023
Sl. No.27
akd
[ALLOWED]

C. R. M. (DB) 1498 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.04.2023 in connection with Kakdwip Police Station Case No.395 of 2021 dated 11.12.2021 under Sections 366/376 of the Indian Penal Code and Section 6 of the POCSO Act and subsequently charge sheet submitted under Sections 366/376 of the Indian Penal Code and Section 6 of the POCSO Act and Section 67B of the Information & Technology Act.

And

In Re: **Rajat Patra**

... .. Petitioner

Mr. Soumik Ganguly
Mr. Supriyo Sasmal

... .. for the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra

... .. for the State

It is submitted on behalf of the petitioner that there was a love affair between two young persons. Accordingly, he prays for bail.

Report is placed on record. Vulnerable witness has already been examined.

We have considered the materials on record. There was a love affair between two young persons. In view of the aforesaid fact and as vulnerable witness has already been examined, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Rajat Patra**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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-cum-Additional Sessions Judge, 1st Court, Kakdwip, South 24-Parganas subject to condition that the said petitioner 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 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 for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)