

26.04.2023.
29.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1677 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khanakul P. S. Case No.55 of 2023 dated 26.01.2023 under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Kazi Saidul @ Suroj.

.... Petitioner.

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee.

...for the Petitioner.

Mr. S. S. Imam, Jr. Govt. Adv.,
Mr. S. Kundu.

...for the State.

Affidavit of service filed in Court today be kept on record. Nobody appears for the minor victim.

Her statement shows there was a love affair and had voluntarily accompanied the petitioner and married him.

Under such circumstances, we are of the opinion further detention of the petitioner is not necessary and may be enlarged on bail.

Accordingly, the petitioner viz., Kazi Saidul @ Suroj 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, Arambagh, Hooghly 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.)