

11.05.2023.
47.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1879 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bakultala P. S. Case No.377 of 2022 dated 18.11.2022 under Sections 363/365/506/120B/34/376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Niranjan Naskar.

.... Petitioner.

Mr. Abhra Mukherjee,
Mr. Rajdeep Bhattacharya,
Mr. Sauradeep Dutta,
Mr. Arpayan Mukherjee,
Mr. S. Kr. Mandal.

...for the Petitioner.

Mr. S. S. Imam,
Mr. S. Kundu.

...for the State.

Ms. Minoti Gomes.

...for the de-facto complainant.

Petitioner submits there was a love affair between two young persons. He is in custody for 173 days. He prays for bail.

Learned Advocate for the State produces the Case Diary.

Learned Advocate for the de-facto complainant does not oppose the bail prayer.

We have considered the materials on record. Learned Advocates for the parties submit there was a love affair between two young persons.

Keeping in mind the aforesaid fact, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Niranjan Naskar shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 District & Sessions Judge, Baruipur, South 24-Paraganas 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.)