

16.05.2023.
35.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1904 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Technocity P.S. Case No.18 of 2023 dated 05.02.2023 under Sections 363/365/368 of the Indian Penal Code and Section 6 of the POCSO Act and Sections 9/10 of the Prohibition of Child Marriage Act.

In the matter of : Mirajul Haque @ Merajul Haque.
.... Petitioner.

Mr. Surojit Basu,
Ms. Ranu Mondal.
...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee.
...for the State.

Petitioner submits there was a love affair between the parties. Victim has been recovered. He prays for bail.

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

Inspite of service, nobody appears for the minor victim.

We have considered the materials on record. Statement of the minor is exonerative. It shows there was free mixing between two young persons.

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

Accordingly, the petitioner viz., Mirajul Haque @ Merajul Haque 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, Barasat, North 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.)