

21.06.2023

Sl. 10

Court No. 29

Sourav

(Allowed)

C.R.M. (DB) 2175 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Swarupnagar** Police Station Case No. **1153** of **2022** dated **04.12.2022** under Sections **498A/306/304B/34** IPC read with Section **6** of the POCSO Act and Section **9/10** of the Child Marriage Act, corresponding to POCSO SPL Case No. **04** of **2023**.

And

In the matter of: **Alamin Mondal @ Alamin Sardar**

....petitioner.

Mr. Dipanjan Chatterjee
Mr. Kalyan Kumar Bhattacharya
Mr. Fraheem Mondal
Ms. Sahina Khatun

...for the petitioner.

Md. Anawar Hossain
Ms. Rita Datta

...for the State.

1. Heard learned Counsel for the parties.
2. Admittedly, the victim was a minor being aged about 16 years at the time of marriage. The statement of the neighbours of the petitioner recorded under Section 161 Cr.P.C. and the statement of the mother of the deceased recorded under Section 164 Cr.P.C. show omnibus allegation of physical and mental torture in the hands of the family members of the in-laws including the present petitioner. Charge-sheet in the case has already been filed. Suicidal death of the deceased is an admitted fact and father and mother of the petitioner have already been released on bail who are to a great extent similarly circumstanced with the present petitioner.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner and stage of the proceeding, it is directed that the petitioner shall be released

on bail by the learned Judge, Special Court (POCSO Act), Basirhat, North 24 Parganas in POCSO Special Case No. 04 of 2023 in connection with Swarupnagar Police Station Case No. 1153 of 2022 dated 04.12.2022 on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for bail is allowed.
5. The application being **CRM (DB) 2175 of 2023** is disposed of.
6. Learned Trial Court is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

