

04.07.2023
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allowed

CRM(DB) No. 2491 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Salanpur Police Station Case No. 333 of 2021 dated 30.12.2021 under Sections 363/365/366 of the Indian Penal Code read with Sections 4/6 of the POCSO Act.

And

In Re : Bidyapati Pandit petitioner

Mr. Kunal Ganguly

....for the petitioner

Mr. Imran Ali

Ms. Debjani Sahu

.... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Petitioner and the victim had a love affair and married.

In view of the aforesaid circumstances though the victim is minor, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 Chief Judicial Magistrate, Paschim Bardhaman, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)