

04.07.2023
tkm/ct 28
sl no. 84

C.R.M. (DB) 2530 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Baruipur PS case no. 536 of 2023 dated 5.5.2023 under sections 376(3)/506 of the IPC read with section 6 of the POCSO Act

And

Allowed

In Re : Sanjib Mondal @ Pappu

..... petitioner

Mr. Sabyasachi Chatterjee
Mr. P Karar
Mr. P Mondal

..... for the petitioner

Mr. Debabrata Chatterjee
Mr. M F A Begg
Ms. Mausumi Sarkar

..... for the State

Mr. Madhu Jana

..... for the de facto complainant

Learned lawyer for the petitioner submits that there was a love affair between two young persons. He prays for bail.

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

We have considered the materials on record. Though the victim is a minor, it is contended on behalf of the parties that there was a love affair between the two young persons.

Keeping in mind the aforesaid circumstances and the period of detention suffered by the petitioner i.e. about two months, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 Special Court, (POCSO Act) & Additional Sessions Judge,

Baruipur South 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 2530 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)