

04.07.2023
Sl. No.105
akd
[ALLOWED]

C. R. M. (DB) 2552 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.06.2023 in connection with Berhampore Police Station Case No.212 of 2023 dated 21.02.2023 under Sections 448/376/511/325/506/34 of the Indian Penal Code and Sections 8/12/17 of the POCSO Act.

And

In Re: **Sorif Sk. & Anr.**

... .. Petitioners

Mr. Arnab Chatterjee
Mr. Jisan Iqbal Hossain
Ms. Poulami Bose
Ms. Chandrima Debnath

... .. for the petitioners

Mr. Jisan Iqbal Hossain

... .. for the de-facto complainant

Ms. Zareen N. Khan
Mr. Ashok Das

... .. for the State

It is submitted on behalf of the petitioners that they had a love affair with the victims. It is further submitted petitioners have been falsely implicated in the instant case. Accordingly, they pray for bail.

Learned Advocate for the State opposes the prayer for bail.

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

We have considered the materials on record. Though the victims are minor, in view of the aforesaid extenuating circumstance, we are of the opinion further detention of the petitioners is not necessary.

Therefore, the petitioners, namely **(1) Sorif Sk. & (2) Sarif Sk.**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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, Berhampore, Murshidabad subject to

condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)