

04.07.2023
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sdas
allowed

CRM(DB) No. 2609 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Minakhan Police Station Case No. 134 of 2023 dated 23.04.2023 under Sections 448/376(2)(f)/506 of the Indian Penal Code read with Section 6 of the POCSO Act.

And
In Re : Shankar Das @ Sankar Das petitioner

Ms. Rupsa Sreemani
.....for the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra
.... for the State

Let affidavit-of-service filed in Court be kept with record.

Nobody appears for the victim.

We have considered the materials on record. Statement of the minor victim shows there was a love affair between two young persons. In view of the aforesaid extenuating circumstance, 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 Judge, Special Court, POCSO Act, Basirhat, North 24-Parganas, 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.)