

26.07.2023.
12.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2769 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Narendrapur P. S. Case No.126 of 2023 dated 08.02.2023 under Sections 363/365 of the Indian Penal Code and adding Section 6 of the POCSO Act.

In the matter of : Pabitra Guria @ Bapi.

.... Petitioner.

Mr. Sumanta Chakraborty,
Mr. Uttam Kr. Halder.

...for the Petitioner.

Mr. Bidyut Kr. Roy,
Ms. Rita Datta.

...for the State.

Petitioner submits there was a love affair between the parties. They have married each other.

Inspite of notice, nobody appears for the victim girl.

Learned Advocate for the State submits victim was minor at the time of occurrence.

We have considered the materials on record. Though victim was a minor, her statement shows there was a love affair between two young persons. It is also contended they have married.

In view of the aforesaid circumstances, we are of the opinion further detention of the petitioner is not necessary and he may be enlarged on bail.

Accordingly, the petitioner viz., Pabitra Guria @ Bapi 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

Additional Chief Judicial Magistrate, Baruipur, South 24-Paraganas subject to condition that he 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 the petitioner fails to appear before the Trial Court without any 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, thus disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)