

02.08.2023.
34.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 3046 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Titagarh P. S. Case No.178 of 2023 dated 03.04.2023 under Section 363 of the Indian Penal Code and adding Section 4 of the POCSO Act.

In the matter of : Vishal Yadav @ Rahul @ Bishal Yadav.
.... Petitioner.

Mr. Debasish Kar.

...for the Petitioner.

Md. Anwar Hossain,
Ms. Sreyashee Biswas.

...for the State.

Petitioner is in custody for 102 days. It is submitted there was a love affair between the parties. Victim had voluntarily accompanied him. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record including the statement of the victim. From her statement, it appears petitioner had snatched her bag and the victim had followed him in a train. It is unclear why the victim did not disembark from the train thereafter.

In view of the aforesaid circumstances and in the light of the submission there was a love affair between two young persons, we are inclined to enlarge the petitioner on bail.

Accordingly, the petitioner viz Vishal Yadav @ Rahul @ Bishal Yadav 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, Barrackpore, North 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)