

01.09.2023.
38.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3443 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhangore P.S. Case No.347 of 2023 dated 06.06.2023 under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Sahid @ Sohid Hossain Molla.

.... Petitioner.

Ms. Sutanuka Chowdhury.

...for the Petitioner.

Mr. Saryati Dattas.

...for the State.

Mr. Niladri Sekhar Ghosh,

Mr. Sourav Mondal.

...for the De-facto complainant.

1. Petitioner is in custody for 82 days. It is submitted that the parties had a romantic relationship and wish to marry. He prays for bail.
2. Learned Advocate for the State produces the Case Diary.
3. Learned Advocate for the de-facto complainant supports the submission of the petitioner.
4. We have considered the materials on record. Though victim is a minor, there was a romantic relationship between the parties. Parties also intend to marry.
5. Under such circumstances, we find no justification for further detention of the petitioner and may be enlarged on bail.
6. Accordingly, the petitioner viz., Sahid @ Sohid Hossain Molla 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 District and Sessions Judge, Special Court (POCSO Act), 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.

7. 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.

8. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)