

CRM (DB) 3655 of 2023

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Malda Cyber Crime P.S. Case No. 1 of 2023 dated 01.01.2023 under sections 448/506 of the Indian Penal Code read with section 6 of the POCSO Act and sections 66E/67B(e) of the Information Technology Act.

And

In the matter of : Sahil Sk

Mr. Md. Wasim Akram

... ... for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... ... for the State

Ms. Reshmi Khatun

... ... for the de facto complainant

1. Petitioner submits there was a love affair between the parties.
Victim has supported the defence version. He prays for bail.
2. Learned lawyer for the State opposes the prayer for bail.
3. Learned lawyer for the de facto complaint does not oppose the bail application.
4. In view of the aforesaid submissions, there was a love affair between two young persons, we are of the opinion further detention is not necessary and petitioner may be granted bail.
5. Accordingly, 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 under POCSO Act, Malda subject to the condition that the petitioner 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.

6. In the event the petitioner fails to do so without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this court.
8. The application for bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)