

13.10.2023
tkm/ct 28
sl no. 43

C.R.M. (DB) 4013 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jadavpur P.S case no. 110 of 2023 dated 13.6.2023 under sections 4/8 of the POCSO Act, charge sheet submitted under section 376 IPC read with section 4/8 of the POCSO Act

and

Allowed

In Re : Sharad Bhansali

..... petitioner

Mr. Arindam Jana
Mr. P P Siha
Mr. A Sengupta

..... for the petitioner

Ms. S Bapuli
Mr. Arani Bhattacharya

..... for the State

1. Petitioner is in custody for 114 days. He submits there was a love affair between two young persons. Investigation is complete. He prays for bail.
2. Learned lawyer for the State submits date has been fixed for examination of the minor.
3. In spite of notice nobody appears for the minor victim.
4. We have considered the evidence on record including the statement of the minor. It appears that there was free mixing between two young persons. Though victim is a minor, in view of the aforesaid fact we are of the opinion further detention of the petitioner is not necessary and he may be enlarged on bail.
5. Accordingly, the petitioner 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, South 24 Parganas Alipore on condition that the petitioner shall appear before the

trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

7. The application being CRM (DB) 4013 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)