

30.11.2023.
42.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4157 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dholahat P.S. Case No.422 of 2023 dated 14.08.2023 under Sections 363/365/376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Dinesh Halder.**

.... Petitioner.

Mr. Santanu Deb Roy,
Mr. Dipankar Guha.

...for the Petitioner.

Ms. Zareen N. Khan,
Mr. Arup Sarkar.

...for the State.

1. Heard the learned Advocates for the parties.
2. Inspite of service, nobody appears for the victim.
3. We have considered the materials on record. Her statement shows there was a romantic relationship between petitioner and victim. Petitioner is in custody for 105 days.
4. In view of the aforesaid fact and the young age of the petitioner, we are of the view further detention of the petitioner is not necessary and he may be enlarged on bail.
5. Accordingly, the petitioner viz., **Dinesh Halder** 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 the POCSO Act, Kakdwip, 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.

6. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)