

28.11.2023
tkm/ct 28
sl no. 65

C.R.M. (DB) 4439 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Daspur P.S case no. 158 of 2022 dated 30.4.2022 under sections 376/506/500 IPC read with section 6 of the POCSO Act and sections 66E & 67A of the Information Technology Act

Allowed

In Re : Sadhu Dutta @Sidhu Dutta and petitioner

Mr. S Sarkar

..... for the petitioner

Mr. T K Ghosh

Mr. D Mhato

..... for the State

Mr. Manas Kr. Das

..... for the de facto complainant

1. Petitoienr submits that there was a love affair between the parties. He renews his bail prayer.
2. Learned lawyer for the State opposes the bail prayer.
3. Learned lawyer for the victim does not oppose the bail prayer.
4. We have considered the materials on record. Keeping in mind the submission that there was a love affair between the parties and the victim is unwilling to oppose the bail application, we are inclined to grant bail to the petitioner.
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 ACJM Ghatal, Paschim Medinipur 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) 4439 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)