

18.12.2023
tkm/ct 28
sl no. 146

C.R.M. (DB) 4484 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Mothabari P.S case no. 159 of 2023 dated 29.5.2023 under sections 341/323 IPC read with section 6 of the POCSO Act

and

Allowed

In Re : Samim Sk Raamjan Sk

..... petitioner

Mr. Joy Chakraborty

..... for the petitioner

Mr. P P Das

Mr. G Banerjee

..... for the State

Mr. Sandip Dinda

..... for the de facto complainant

1. Petitioner submits that there was a romantic relationship between two young persons. He has been falsely implicated.
2. Learned lawyer for the State produces the case diary.
3. Learned lawyer for the de facto complainant does not oppose the bail prayer.
4. Under such circumstances 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 Judge, Special Court under POCSO Act Malda 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) 4484 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)