

19.12.2023
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allowed

CRM(DB) No. 4537 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 393 of 2023 dated 06.09.2023 under Sections 342/376 of the Indian Penal Code and Section 4 of the POCSO Act.

In Re : Manik Sk. And
..... petitioner

Mr. Tapodip Gupta
....for the petitioner

Mr. Prasun Kumar Dutta, learned APP
Ms. Trina Mitra
.... for the State

Mr. N. S. Ghosh
.... for de facto complainant

1. Learned Counsel for the petitioner submits there was a romantic relationship between two persons. Petitioner is in custody for 104 days. Accordingly, he prays for bail.

2. Learned Counsel for the State produces the Case Diary.

3. Learned Counsel for de facto complainant does not opposes the bail prayer.

4. We have considered the materials on record. It is contended there was a romantic relationship between two young persons. Victim does not oppose the bail application. Accordingly, we are inclined to grant bail to the petitioner.

5. Accordingly, we direct that 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 Lalbagh, Murshidabad, subject to conditions that petitioner shall

appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)