

20.12.2023
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allowed

CRM(DB) No. 4574 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mahishadal Police Station Case No. 42 of 2023 dated 27.01.2023 under Sections 498A/304B/34 of the Indian Penal Code and subsequently charesheet submitted under Sections 9/10 of the Prohibition of Child Marriage Act read with Section 6 of the POCSO Act.

And
In Re : Ranjit Manna Petitioner

Mr. Suman De
Mr. Abhinaba Mukherjee
.....for the petitioner

Mr. Madhusudan Sur, learned APP
.... for the State

1. Learned Counsel for the petitioner submits there was romantic relationship between him and the victim girl. They got married. Subsequently she committed suicide. Petitioner has been falsely implicated. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits victim was a minor.

3. We have considered the materials on record. There was a romantic relationship between the petitioner and the victim. They married each other. Initially, they stayed at the residence of the victim's father. Thereafter she came to her matrimonial home. There she committed suicide. Allegations of torture are general and omnibus. Investigation is complete. There is no chance of abscondence. Under such circumstances, we are inclined to grant bail to the petitioner.

4. 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 at Haldia, Purba Medinipur, 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.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)