

20.12.2023
Sl. No.83
akd
[ALLOWED]

C. R. M. (DB) 4599 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.10.2023 in connection with Ranaghat Police Station Case No.481 of 2021 dated 04.12.2021 under Sections 376(3)/417/420/506(2) of the Indian Penal Code read with Section 6 of the POCSO Act and Sections 67/67A/67B of the Information Technology Act. (G.R. Case No.87 of 2021)

And

In Re: ***Rajat Barman***

... .. Petitioner

Ms. Minoti Gomes

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor

Mrs. Sonali Das

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for over a year. It is further submitted petitioner there was romantic relationship between the parties. Accordingly, he prays for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail.
3. In spite of service, nobody appears on behalf of the victim. Affidavit-of-service filed in court be kept with the record.
4. We have considered the materials on record. Evidence of the victim shows there was romantic relationship between the parties. Case was instituted due to misunderstanding. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
5. Therefore, the accused/petitioner, namely ***Rajat Barman***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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-cum-Additional District & Sessions Judge, Ranaghat, Nadia subject to condition that the said petitioner 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 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 for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)