

22.12.2023.
22.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4597 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Barabazar P.S. Case No.120 of 2023 dated 09.08.2023 under Section 6 of the POCSO Act.

In the matter of : **Chiranjit Majhi.**

.... Petitioner.

Mr. Navanil De.

...for the Petitioner.

Mr. Sudip Ghosh, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

1. Petitioner is in custody for 135 days. He contends there was a romantic relationship between two young persons He prays for bail.
2. Learned Advocate for State opposes the bail prayer. He contends victim is a minor.
3. We have considered the materials on record. Statement of the victim shows there was a romantic relationship between two young persons. Allegation of rape requires to be assessed in light of attending circumstances during trial. There is no chance of abscondence.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Chiranjit Majhi** 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 the POCSO Act, Purulia subject to condition that he 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)