

03.07.2023

Item no.8

Court No.1.

AB

(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (DB) No. 266 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No.610 of 2022 Dated 8.6.2022 under Sections 363/365 of the Indian Penal Code read with Section 6 of the POCSO Act

And

In the matter of : Rajib Rajdhar Petitioner.

Mr. H. Saha Poddar,
Ms. Mousumi Das for the Petitioner.

Mr. A. S. Chakraborty, Id. APP,
Mr. Sagnik Sankar Sikdarfor the State.

The allegation is under Sections 363/365 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

Learned Advocate for the petitioner says that the petitioner has been in custody for more than eight months. Charge sheet has been submitted. The victim girl has been examined. According to the petitioner, there was a love relationship between him and the victim girl.

We have seen the material in the case diary as also deposition of the victim girl. On an overall assessment of the material on record and considering that the charge sheet has

been submitted and the victim girl has been examined, we allow the petitioner's prayer for bail.

Accordingly, we direct that the petitioner, namely Rajib Rajdhar 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 at Coochbehar, and on further conditions that he shall remain within the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

The 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 and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)

