

31.01.2024  
Sl. No.20  
**akd**  
[ALLOWED]

**C. R. M. (DB) 55 of 2024**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.01.2024 in connection with Indpur Police Station Case No.34 of 2022 dated 04.05.2022 under Sections 363/365 of the Indian Penal Code and subsequently charge sheet filed under Sections 363/365/376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: **Sadhan Bauri**

... .. Petitioner

Mr. Arkaprabho Roy  
Mr. Anish Roy

... .. for the petitioner

Ms. Faria Hossain  
Ms. Trina Mitra

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than one year and eight months. It is further submitted there was a romantic relationship between the parties. Due to pressure from the parents of the victim, present case came to be registered. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. In spite of service, nobody appears on behalf of the victim.
4. We have considered the materials on record. Victim has already been examined. 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 **Sadhan Bauri**, 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, Khatra, Bankura 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.)**