

01.02.2024.
24.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 157 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Beldanga P.S. Case No.174 of 2023 dated 11.03.2023 under Sections 363/376(2)(n)/506/34 of the Indian Penal Code and Sections 6/17 of the POCSO Act and charge sheet submitted under Sections 363/365/376(2)(n)/506/34 of the Indian Penal Code and Sections 6/17 of the POCSO Act.

In the matter of : **Amjad Sk. @ Amzad Sk.**

.... Petitioner.

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose.

...for the Petitioner.

Mr. Partha Pratim Das,
Mr. Anindya Sundar Chatterjee.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. We have also examined the statement of the victim. It appears there was free mixing between the parties. But the victim claims she was blackmailed by showing an objectionable picture. Electronic evidence with regard to any objectionable picture of the victim has not been seized in the course of investigation.
3. Keeping in mind the aforesaid circumstances and the period of detention suffered by the petitioner i.e. 167 days, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner viz., **Amjad Sk. @ Amzad Sk** 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, Berhampore, Murshidabad 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.

5. In the event 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)