

08.03.2024.
22.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 555 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Narendrapur P.S. Case No.1078 of 2023 dated 23.11.2023 under Sections 342/376(2)(n)/120B of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Bikash Sikdar.**

.... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Ms. Faria Hossain,
Ms. Baisali Basu.

...for the State.

Mr. Swakshar Kr. Mondal,
Ms. Reshmi Khatun.

....for the de-facto complainant.

1. Petitioner is the husband of the sister-in-law of the minor wife. It is alleged he had forced the minor to marry his brother-in-law. He is in custody for two months and ten days.
2. In view of nature of allegation, we are of the opinion petitioner is not the principal accused with regard to the offence of rape. There is no chance of abscondence.
3. Under such circumstances, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner viz., **Bikash Sikdar** 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 Chief Judicial Magistrate, Alipore, South 24-Paraganas 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 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)