

01.03.2024  
tkm/ct 28  
sl no. 48

**C.R.M. (DB) 478 of 2024**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with New Town P.S case no. 50 of 2023 dated 17.2.2023 under sections 363/365 IPC  
and

**Allowed**

In Re : Rahul Acharya ... petitioner

Mr. A Chakraborty  
Mr. S S Saha

..... for the petitioner

Mr. Soumik Ganguly

..... for the State

Mr. Supriyo Das  
Ms. Madhurai Sinha

..... for the de facto complainant

1. Petitioner is in custody for more than a year. He contends there was a romantic relationship between him and the victim. Victim has been examined. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Minor victim has been examined. She admitted there was a romantic relationship between the parties.
4. Under such circumstances we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner 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 POCSO Act, Barasat North 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing 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 being CRM (DB) 478 of 2024 is disposed of.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**