

20.02.2024
tkm/ct 28
sl no. 46

C.R.M. (DB) 517 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Panchla PS case no. 148 of 2023 dated 21.5.2023 under sections 448/323/376/506 IPC and section 6 of the POCSO Act
and

Allowed

In Re : Arpan Mal petitioner

Md. Sabir Ahmed
Mr. Sandipan Banerjee
Ms. S Biswas
Mr. Puja Banerjee

..... for the petitioner

Mr. Avishek Sinha

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Statement of the victim recorded under section 164 Cr.P.C shows there was love affair between the parties. Though the victim is a minor, in view of the aforesaid extenuating circumstance, we are inclined to grant bail to the petitioner.
3. Accordingly, 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, Howrah 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.
4. 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.
5. The application being CRM (DB) 517 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)