

15.03.2024.
22.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 600 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Belur P.S. Case No.157 of 2023 dated 27.07.2023 under Sections 363/365 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

In the matter of : **Sunny Singh Yadav.**

.... Petitioner.

Sk. Toslim Ali.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Ms. Pritha Paul.

...for the State.

Mr. Bivash Banerjee,
Mr. Rohit Prasad.

....for the de-facto complainant.

1. Petitioner contends there was free mixing between two young persons. He is in custody for 170 days. Investigation is complete. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record including statement of the victim recorded under Section 164 of the Code of Criminal Procedure. Victim is a minor but admits that there was a romantic relationship between the parties and she had eloped. There is no chance of abscondence.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., **Sunny Singh Yadav** shall be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial

Magistrate, Howrah 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.

6. 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)