

01.03.2024
tkm/ct 28
sl no. 64

C.R.M. (DB) 613 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Berhampore P.S case no. 1843 of 2023 dated 22.12.2023 under sections 363/365/376/120B IPC and section 4 of the POCSO Act

Allowed

In Re : Masadul Sk and

... petitioner

Mr. Arnab Chatterjee
Ms. D Biswas
Mr. P Bose

..... for the petitioner

Mr. S Bardhan
Ms. Puspita Saha

..... for the State

Mr. Sujoy Sarkar
Mr. Rahul Chachan

..... for the de facto complainant

1. Petitioner submits that there is a romantic relationship between the parties and they want to marry each other after the victim attains majority.
2. This is not disputed by the learned lawyer for the victim.
3. Learned lawyer for the State produces the case diary.
4. In view of the aforesaid facts, 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 Berhampore, Murshidabad 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) 613 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)