

19.03.2024
36
sdas
allowed

CRM (DB) No. 636 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 875 of 2023 dated 04.07.2023 under Sections 363/365 of the Indian Penal Code adding Section 6 of the POCSO Act.

And

In Re : Priyangshu Shil @ Pramanik @ Priyanksu Pramanik
@ Sil petitioner

Ms. Minoti Gomes

Mr. Zeeshan Iqbal Hossain

....for the petitioner

Mr. Jaydeep Biswas

.... for the State

1. Learned Counsel for the petitioner submits there was a romantic relationship between the petitioner and victim girl. He has been falsely implicated. He prays for bail.

2. Learned Counsel for the State produces the Case Diary.

3. In spite of notice nobody appears for the victim.

4. We have examined statement of the minor victim. She stated there was an intimate relationship between the parties. In view of aforesaid statement of the victim we are of the opinion further detention of the petitioner is not necessary and he may be enlarged on bail.

5. Accordingly, we direct that the petitioner 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 Judge, Special Court under POCSO Act, Berhampore, Murshidabad, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

6. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)