

04.04.2024.  
32.  
Ct.No.28.  
as  
(Allowed)

**C.R.M. (DB) 898 of 2024**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hariharpara P.S. Case No.415 of 2023 dated 18.09.2023 under Sections 363/364/34 of the Indian Penal Code read with Section 4 of the POCSO Act and charge sheet submitted under Sections 363/364/34 of the Indian Penal Code read with Section 4 of the POCSO Act.

In the matter of : **Monjur Sk @ Munjur Hossain Sk.**

.... Petitioner.

Mr. Tapas Kr. Adhikari,  
Mr. Abhijit Ghosh.

...for the Petitioner.

Mr. Partha Pratim Das,  
Ms. Purnima Ghosh.

...for the State.

1. Petitioner is in custody for 134 days. Accordingly, he prays for bail.
2. Learned Advocate for the State produces the Case Diary.
3. In spite of notice, nobody appears for the victim.
4. We have considered the materials on record including the statement of the victim. She states there was a romantic relationship between the parties.
5. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.
6. Accordingly, the petitioner viz., **Monjur Sk @ Munjur Hossain Sk** 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 the POCSO Act, Berhampore,

Murshidabad 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.

7. In the event 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.

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

**(Gaurang Kanth,J.)**

**(Joymalya Bagchi, J.)**