

28.03.2024  
Sl. No.24  
akd  
[ALLOWED]

**C. R. M. (DB) 938 of 2024**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.03.2024 in connection with Rajarhat Police Station Case No.12 of 2023 dated 09.01.2023 under Section 363 of the Indian Penal Code and Section 4 of the POCSO Act.

And

In Re: **Mana Mondal**

... .. Petitioner

Mr. Manojit Debnath

... .. for the petitioner

Mr. Parthapratim Das  
Ms. Mamata Jana

... .. for the State

1. It is submitted on behalf of the petitioner that there was a romantic relationship between the parties. It is further submitted petitioner has been falsely implicated. Accordingly, he prays for bail.
2. Learned Advocate for the State produces the case diary.
3. Inspite of service, nobody appears on behalf of the victim.
4. We have considered the materials on record including the statement of the victim. Though she is a minor, she stated there was a romantic relationship between the parties. Under such circumstances which discloses free mixing between two young persons and as there is no chance of abscondence, we are of the opinion further detention of the accused/petitioner is not necessary.
5. Therefore, the accused/petitioner, namely **Mana Mondal**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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, Barasat, North 24-Parganas subject to condition that the said petitioner 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 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 for bail, thus, stands allowed.

**(Partha Sarathi Sen, J.)**

**(Joymalya Bagchi, J.)**