

27.03.2024.
32.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 922 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.1248 of 2023 dated 30.08.2023 under Sections 363/365 of the Indian Penal Code and adding Section 8 of the POCSO Act.

In the matter of : **Bijoy Halder @ Bijay.**

.... Petitioner.

Ms. Minoti Gomes.

...for the Petitioner.

Mr. Suman De,

Mr. Santanu Deb Roy.

...for the State.

Mr. Jisan Iqubal Haque.

...for the de-facto complainant.

1. Petitioner submits there was a romantic relationship between the parties. He has been falsely implicated. Parties intend to marry after the victim attains majority. Accordingly, he prays for bail.
2. Learned Advocate for the State produces the Case Diary.
3. Learned Advocate for the de-facto complainant does not oppose the bail prayer.
4. We have considered the materials on record. Statement of the victim shows there was a romantic relationship between the parties. They propose to marry each other after victim attains majority.
5. In view of the aforesaid circumstances, we are inclined to enlarge the petitioner on bail.
6. Accordingly, the petitioner viz., **Bijoy Halder @ Bijay** 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, 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 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.

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

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)