

16.04.2024.
24.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1057 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Samsherganj P.S. Case No.250 of 2023 dated 24.07.2023 under Section 6 of the POCSO Act.

In the matter of : **Kadir Sk @ Kadir Sekh.**

.... Petitioner.

Mr. Tapodip Gupta.

...for the Petitioner.

Mr. Sujan Chatterjee.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Further statement of the victim has been recorded before Magistrate. She states she is ready and willing to marry the petitioner.
3. In view of the aforesaid development, we are of the opinion no worthwhile purpose would be served in continuing further detention of the petitioner. Hence, he may be enlarged on bail.
4. Accordingly, the petitioner viz., **Kadir Sk @ Kadir Sekh** 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.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)