

12.04.2024.
70.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1100 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bamongola P.S. Case No.147 of 2023 dated 07.09.2023 under Sections 363/365/34 of the Indian Penal Code and adding Section 6 of the POCSO Act.

In the matter of : **Rajkumar Mahali.**

.... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder.

...for the Petitioner.

Mr. Anand Keshari,
Mrs. Paramita Sahu.

...for the State.

1. Petitioner submits there was a romantic relationship between the parties. Accordingly, he prays for bail.
2. Learned Advocate for the State produces the Case Diary.
3. Nobody appears for the victim.
4. We have examined the statement of the minor victim. She states that she had voluntarily eloped with the petitioner.
5. In view of the aforesaid fact which discloses romantic relationship between two young persons, we are inclined to grant bail to the petitioner.
6. Accordingly, the petitioner viz., **Rajkumar Mahali** 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, Malda 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)