

12.04.2024  
tkm/ct 28  
sl no. 88

**C.R.M. (DB) 1118 of 2024**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kumarganj P.S case no. 88 of 2023 dated 2.4.2023 under sections 363/365/323/34 IPC read with section 4 of the POCSO Act

and

**Allowed**

In Re : Nur Islam Mondul @ Mandal @ Mithun ..... petitioner

Mr. Kaushik Choudhury  
Mr. S Hazra

..... for the petitioner

Mr. Antarikhya Basu  
Ms. Payel Ghosh

..... for the State

1. Affidavit of service is filed.
2. Nobody appears for opposite party no. 2.
3. We have considered the materials on record including the statement of the victim. It is contented there was a romantic relationship between her and the petitioner. They had eloped earlier.
4. In view of the aforesaid circumstances and the period of detention suffered by the petitioner i.e. more than a month and as investigation is complete, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner 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 POCSO Act Balurghat Dakshin Dinajpur on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

6. In the event he fails to do so or resorts to dilatory tactics and delay the trial, trial court shall be at liberty to cancel his bail without reference to this court.

7. The application being CRM (DB) 1118 of 2024 is disposed of.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**