

02.05.2024
Sl. No.29
akd
[ALLOWED]

C. R. M. (DB) 1204 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.04.2024 in connection with Baguiati Police Station Case No.164 of 2023 dated 27.03.2023 under Sections 363/365 of the Indian Penal Code and Section 4 of the POCSO Act.

And

In Re: **Sagar Sarkar**

... .. Petitioner

Mr. Soumyajit Das Mahapatra
Md. Golam Nure Imrohi
Ms. Arundhuti Barai

... .. for the petitioner

Ms. Zareen N. Khan

... .. for the victim

Mr. Anand Kesari
Ms. Nahid Ahmed

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. Victim is present in court. Ms. Zareen N. Khan, learned Advocate empanelled with the High Court Legal Services Committee is requested to represent the victim.
3. We have considered the materials on record as well as the evidence of the minor victim (PW 1). She stated her parents were trying to marry her to another person. She informed the petitioner to intervene. In view of the aforesaid evidence on record, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely **Sagar Sarkar**, 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.

5. 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.
6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)