

09.05.2024.
28.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1281 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola P.S. Case No.608 of 2023 dated 17.12.2023 under Sections 417/376 of the Indian Penal Code and Section 4 of the POCSO Act and charge sheet submitted under Sections 376(3)/417 of the Indian Penal Code and Section 4 of the POCSO Act.

In the matter of : **Anarul Sk @ Anar Sk @ Anar.**

.... Petitioner.

Mr. Tapodip Gupta.

...for the Petitioner.

Mr. Rudradipta Nandy, ld. A.P.P.,
Mr. M. F. A. Begg.

...for the State.

Ms. Mashurai Sinha.

...for the Victim.

1. Petitioner submits there was a romantic relationship between him and the victim. She had eloped with him. He has been falsely implicated. Hence, he prays for bail.
2. Learned Advocate for the victim does not dispute this fact. He does not oppose the bail application.
3. Learned Advocate for the State produces the Case Diary.
4. We have considered the materials on record. It is contended there was a romantic relationship and free mixing between the parties. Learned Advocate for the victim does not oppose the prayer for bail.
5. Under such circumstances, we are of the opinion no worthwhile purpose would be served to continue the detention of the petitioner. Hence, he may be released on bail.
6. Accordingly, the petitioner viz., **Anarul Sk @ Anar Sk @ Anar** 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, Lalbagh, 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)