

10.05.2024.
28.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1487 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Haripal P.S. Case No.53 of 2022 dated 28.03.2022 under Sections 363/365 of the Indian Penal Code and charge sheet submitted under Sections 363/365/376(2)(f)(n)/494 of the Indian Penal Code and under Sections 4/6 of the POCSO Act and Sections 9/10 of the Prohibition of Child Marriage Act.

In the matter of : **Badal Karmakar.**

.... Petitioner.

Mr. Suman Chakraborty.

...for the Petitioner.

Ms. Shreyashee Biswas,
Mrs. Rituparna Saha.

...for the State.

1. Heard the learned Advocates for the parties.
2. In spite of notice nobody appears for the victim.
3. We have considered the materials on record. We have examined the statement of the minor. In her statement before Magistrate she stated there was a romantic relationship between the parties and she had left out of her own volition.
4. In view of the aforesaid facts, we are of the opinion further detention of the petitioner is not necessary and may be enlarged on bail.
5. Accordingly, the petitioner viz., **Badal Karmakar** 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, Chandannagar, Hooghly 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.

6. 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)