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08-07-2024
(ct. no.28)
KOLE
Allowed

CRM (DB) 1819 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Purulia (M)** Case No. **116 of 2024** dated **22.03.2024** under Sections **363/365** of the Indian Penal Code and Section 4 of the POCSO Act.
- A n d -

In the matter of : Bikash Rajwar

.... Petitioner.

Mr. Samiran Mandal,
Mr. A. Dan,

... For the petitioner.

Mr. Sujan Chatterjee,

... For the State.

Order dictated in open court by Apurba Sinha Ray, J.

Victim has been notified as per the report of the State indicating service of the notice upon the victim.

Learned Counsel for the petitioner says that the petitioner has been languishing in judicial custody for about 106 days. Furthermore, there is a love relationship between the petitioner and the victim. He may be granted bail on any condition.

Learned Counsel for the State says that the statement recorded under Section 164 of the Code of Criminal Procedure of the victim girl discloses that the victim admitted that there was a love relationship between herself and the petitioner. Further, the victim had refused to undergo any medical examination.

Considering the materials on record and also the fact that the investigation is complete, we are inclined to allow the petitioner's prayer for bail.

Accordingly, we direct that the petitioner, namely, **Bikash Rajwar**, 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 Chief Judicial Magistrate, Purulia and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Apurba Sinha Ray, J.)**

(**Arijit Banerjee, J.)**