

22.08.2024  
Item no. 28.  
Court No.28.  
AB  
(Allowed)

**CRM (DB) 2345 of 2024**

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kharagpur (Town) Police Station Case No.480 of 2023 Dated 18.10.2023 under Sections 363/365/376(2)(n) of the Indian Penal Code read with Section 6 of the POCSO Act

And

**In the matter of : Sanatan @ Sonatan Das .....Petitioner.**

Mr. Soumyajit Das Mahapatra,  
Ms. Madhurai Sinha .....for the Petitioner.

Ms. Minoti Gomes,  
Mr. Asraf Mondal .....for the State.

**Dictated by Arijit Banerjee, J.**

1. The petitioner is in custody for seven months. The allegation is that the petitioner kidnapped the victim girl, lived with her in various hotels and had physical relationship with her.
2. From the statement recorded by the victim girl under Section 164 Cr.P.C., it appears that there was a relationship between the petitioner and the victim girl for a long period of time. The petitioner and the victim girl roamed together for a long time and stayed in various hotels. The medical report does not support the prosecution version.

3. While opposing the prayer for bail, learned Advocate for the State draws our attention to the material in the case diary.
4. In view of what we have recorded above and since investigation is complete, we do not deem it necessary to detain the petitioner in custody any further. Therefore, we grant bail to him, but on stringent conditions.
5. Accordingly, we direct that the petitioner, namely **Sanatan @ Sonatan Das** 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 at Paschim Medinipur, and on further conditions that he shall not enter the jurisdiction of District Paschim Medinipur except for attending the court proceedings and shall provide the address where he shall presently reside to the Officer in Charge of the concerned police station and shall meet the Officer in Charge of the concerned police station within whose jurisdiction he shall presently reside once in a fortnight until further orders.
6. 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 and/or commit any cognizable offence in any manner whatsoever.

7. 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.
8. The application for bail is, accordingly, allowed.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**(Arijit Banerjee, J.)**

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