

07.8.2024
Ct. No. 6
SL No. 26
SB

C.R.M. (DB) 2418 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Duttapukur** P.S. Case No. 651/22 dated 06.7.2022 under Section 363 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In the matter of: Sharuk Shaikh alias Saruk

Mr. Angshuman Chakraborty
Mr. Rajzzaman
Md. Aziz
Mr. S.S. Saha ... for the petitioner

Mr. Avishek Sinha
Mr. Abhinaba Mukherjee ... for the State

1. Heard the learned lawyers for both the parties.
2. In spite of service, nobody appears for the victim.
3. We have considered the statement of the victim. There was a romantic relationship between the parties. Keeping in mind the aforesaid fact and period of detention suffered by the petitioner i.e. 95 days, we are inclined to grant bail to the petitioner.
4. Accordingly, the petitioner 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 POCSO Court, Barasat, North 24 Parganas subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
5. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.

6. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)