

08.08.2024
tkm/ct 6
sl no. 30

C.R.M. (DB) 2511 of 2024

In Re : An application for bail under section 439 Cr.P.C (section 483 of Bharatia Nagarik Suraksha Sanhita, 2023) in connection with Ashoknagar P.S case no. 734 of 2022 dated 6.8.2022 under section 363/365/366 IPC adding section 4 of the POCSO Act
And

Allowed In Re : Saikat Chakraborty petitioner

Mr. N S Ghosh
Ms. S Chatterjee
Mr. Sourav Mondal
Ms. Labani Sikder
Mr. Rony Mondal

..... for the petitioner

Mr. Sudip Kumar
Mr. Nirupam Dhali

..... for the State

1. Petitioner contends there was a romantic relationship between the parties. He has been falsely implicated in the case.
2. Learned lawyer for the State oppose the bail prayer.
3. Inspite of notice, nobody appears for the victim.
4. We have considered the materials on record. We have also examined the statement of the minor girl. It appears that there is a romantic relationship between the two persons.
5. Keeping in mind the aforesaid fact, we are inclined to grant bail to the petitioner.
6. Accordingly, the petitioner 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 POCSO Act, Barasat North 24 Parganas on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

7. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
8. The application being CRM (DB) 2511 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)