

12.09.2024
tkm/ct 6
sl no. 81

C.R.M. (DB) 2673 of 2024

In Re : An application for bail under section 483 of the Bharatiya
Nagarik Suraksha Sanhita 2023 in connection with Ashoknagar P.S
case no. 121 of 2021 dated 12.2.2021 under sections 376/506 IPC and
section 6 of the POCSO Act
and

Allowed

In Re : Kartick Roy Choudhury petitioner

Mr. Sandip Chakraborty
Mr. M Debnath
Mr. Kaustab Das

..... for the petitioner

Mr. Md. Adil Badr
Mr. Amanul Islam

..... for the State

1. Petitioner is in custody for more than three years. He submits there was a romantic relationship between the parties. Vulnerable witnesses have been examined. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer. He submits there is a considerable age gap between the petitioner and the victim had improbabilises the romantic relationship between them.
3. We have considered the materials on record. Defence of the petitioner that there was a romantic relationship does not appear to be convincing. That apart, the victim is a minor and her consent is immaterial. Be that as it may, vulnerable witnesses have already been examined. There is little possibility of trial concluding in the near future.
4. Under such circumstances, we are inclined to grant bail to the petitioner on the ground of delay in trial.
5. 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 CJM North 24 Parganas at Barasat 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.

6. In the event he fails to do so or resorts to dilatory tactics and delay the trial, trial court shall be at liberty to cancel his bail without reference to this court.

7. The application being CRM (DB) 2673 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)