

06.09.2024
Item no. 67.
Court No.28.
AB
(Allowed)

CRM (DB) 2740 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Purulia (M) Police Station Case No.55 of 2020 Dated 13.2.2020 under Section 363/365/120B of the Indian Penal Code read with Section 4/6 of the POCSO Act

And

In the matter of : Naresh MahatoPetitioner.

Mr. Soumik Ganguly
Mr. Satyajit Mahatafor the Petitioner.

Ms. Rituparna Ghosh
Mr. Aritra Bhattacharyafor the State.

Mr. Pritam Choudhuryfor the Victim.

Dictated by Arijit Banerjee, J.

1. The petitioner says that there was a love affair between him and the victim girl. They are married and they have two children. They reside together. The petitioner is in custody for 117 days.
2. Learned Advocate for the victim does not oppose the petitioner's prayer for bail. He corroborates the submission made on behalf of the petitioner.
3. Learned Advocate for the State, while opposing the prayer for bail, says that the victim had indeed stated in her statement recorded under Section 164 Cr.P.C. that she voluntarily married the petitioner and they have children.
4. In view of the aforesaid, we see no reason to detain the petitioner in custody any further.

5. Accordingly, we direct that the petitioner, namely **Naresh Mahato** 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 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.
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.)

(Prasenjit Biswas, J.)

