

C.R.M. (DB) 2971 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 in connection with **Goghat P.S. Case No. 193 of 2024 dated April 20, 2024** under **Sections 363/365/376(2)(n)** of the Indian Penal Code read with Section 6(1) of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: **Sekhar Santra**.

Mr. Ayan Bhattacharjee,
Mr. Subhajit Manna,
Mr. S. Mondal, ...for the Petitioner.

Ms. Sreyashee Biswas,
Mr. Ashok Das,for the State.

1. Petitioner has romantic relationship between the petitioner and the victim. They eloped. Subsequently, he has been falsely implicated.
2. In spite of service, nobody appears for the victim.
3. State opposes the bail prayer.
4. We have considered materials on record including statement of the victim girl. She stated that petitioner threatened suicide. Thereupon victim accompanied and co-habited with him. Both petitioner and victim are young persons. It appears there was free mixing between them. There is no change of abscondence.
5. Under such circumstances, we are inclined to grant bail to the petitioner.
6. Accordingly, we direct the petitioner viz. **Sekhar Santra** 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 POCSO Act), Arambagh, Hooghly 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.

7. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)