

08.11.2024.
63.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3238 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Khatra P.S. Case No.06 of 2024 dated 11.01.2024 under Sections 363/365 of the Indian Penal Code, Section 6 of the POCSO Act and adding Section 376(2) of the Indian Penal Code.

In the matter of : ***Biplab Lohar.***

.... Petitioner.

Mr. Soumik Ganguly,
Ms. Trisha Rakshit.

...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Md. Ezaz Akhtar.

...for the State.

Mr. Arkaprabho Roy.

....for the De-facto complainant.

1. Petitioner submits there was an intimate relationship between him and the victim. Victim has already been examined. He is in custody for 294 days. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. Learned Advocate for the victim submits there was an age difference between the parties.
4. We have considered the materials on record. Minor victim has already been examined. She deposed that she has married the petitioner.
5. In light of her deposition and as there is no chance of concluding the trial in the near future, we are inclined to grant bail to the petitioner.

6. Accordingly, the petitioner viz., **Biplab Lohar** 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 (Child Friendly Court), Khatra, Bankura subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

7. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

8. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)