

06.11.2024
Sl. No.87
akd
[ALLOWED]

C. R. M. (DB) 3269 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 17.09.2024 in connection with Bhadreswar Police Station Case No.279 of 2024 dated 30.06.2024 under Sections 498A/325/308/34 of the Indian Penal Code and subsequently charge sheet submitted under Sections 498A/325/308 of the Indian Penal Code read with Section 4 of the POCSO Act and Sections 9/10 of the Prohibition of Child Marriage Act. (G.R. Case No.1240 of 2024)

And

In Re: **XXXX**
... .. Petitioner

Mr. Arabinda Manna
... .. for the petitioner

Mr. Rana Mukherjee .. Id. Addl. Public Prosecutor
Ms. Pritha Paul
... .. for the State

1. It is submitted on behalf of the petitioner he is in custody for about 123 days. It is further submitted petitioner is the father-in-law of the victim. He has been falsely implicated in the case. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record including the statement of the victim. Keeping in mind the extent of complicity of the petitioner in the crime and the period of detention suffered by him, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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-cum-Additional Sessions Judge, Chandannagar, Hooghly subject to

condition that the said petitioner 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.

5. 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.

6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)