

57. 24.12.2024
Court
No.29 (Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3820 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Salar** Police Station Case **No.21/2024** dated **26.01.2024** under Sections **363/365/344/34** of the Indian Penal Code.

And

In the matter of: - **Sajal Sk @ Sajol Sk**

...petitioner.

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas

...for the petitioner.

Mr. Imran Ali
Mr. Samarjit Balial

...for the State.

Dictated by Arijit Banerjee, J.

1. Affidavit of service filed in Court today be kept with the records. The petitioner says that he is in custody for about five months. He has been falsely implicated. He prays for bail.
2. Learned State Counsel, while opposing the prayer for bail, draws our attention to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973.
3. In her statement she completely exonerated the petitioner. She says that she voluntarily ran away with the petitioner. The petitioner did not ill-treat her in any manner, nor did anything wrong to her.

4. In view of the aforesaid, we are inclined to allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Sajal Sk @ Sajol Sk** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), 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 at Kandi, Murshidabad, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above 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.
7. The application for bail being CRM (DB) 3820 of 2024 is accordingly disposed of.
8. Criminal Section is directed to make available urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)