

12.12.2024
Sr. No. 38
Ct. No. 28.
AB
(Allowed)

C.R.M. (DB) 3943 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 Chanchal Police Station Case No.1247 of 2022 Dated 16.10.2022 under Sections 363/365/34 of the Indian Penal Code read with Section 4 of the POCSO Act

In the matter of : **Rahenul Hoque**

....Petitioner.

Mr. Mritunjoy Chatterjee,
Mr. Imdadul HaqueFor the Petitioner.

Mr. Saryati Dutta,
Mr. Akash GangulyFor the State.

1. Affidavit of service filed in Court today be kept on record.
In spite of service, nobody appears for the defacto complainant.
2. Heard learned Advocates for the parties.
3. Petitioner submits that he and the victim married each other under Muslim rites and customs.
4. In view of the aforesaid fact, we are of the opinion further detention of the petitioner is not necessary and he may be enlarged on bail.
5. Accordingly, the petitioner, namely, **Rahenul Hoque** 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 Chanchal, Malda, 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 or commit similar offences in future.

6. 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 in accordance with law without further reference to this Court.
7. This application for bail is, thus, disposed of.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)