

29.04.2024
Court No.01
Item No. 29

Allowed

sg

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI

CRM (DB) 189 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalimpong Police Station Case No. 147 of 2023 dated 12.11.2023 under Sections 363/365 of the IPC added section 6 of the POCSO.

And

In Re: **Ponnada Rahul**

Petitioner

Mr. Sourav Ganguly
Ms. Rishita Chakraborty
Mr. Gopal Roy

For the Petitioner

Mr. Ujjwal Luksom
Mr. Arjun Chowdhury

For the State

1. Affidavit of service filed in Court today is taken on record.
2. The learned Counsel for the petitioner submits before this Court that the present case is the outcome of a romantic relationship between an adolescence boy and an adolescence girl.
3. The learned Counsel for the State opposes the prayer for bail.
4. We have meticulously perused the entire materials available in the CD including the statement of the victim as recorded under Section 164 of the Criminal Procedure Code, wherein we, prima facie, find materials that the accused petitioner and the victim girl were in a love relationship during their

adolescence age. The investigation is stated to have been completed in the meantime.

5. In view of the facts and circumstances as discussed above (supra), we are inclined to allow the prayer for bail to the present accused petitioner.
6. Accordingly, the petitioner viz., **Ponnada Rahul** shall be released on bail upon furnishing a bond of Rs.5,000/- (Rupees five thousand only) with two registered sureties of like amount each, to the satisfaction of the learned Judge, Special Court under POCSO Act, Kalimpong with a condition that the petitioner shall appear before the learned Trial Court on each date of substantive hearing subject to the provision of Section 317 of the Criminal Procedure Code and the petitioner shall not tamper with evidence and/or intimidate the witness in any manner whatsoever. In the event of non-compliance of any of the conditions, the bail shall stand automatically cancelled without any further reference to this Court.
7. The prayer for bail of the petitioner is allowed. CRM (DB) 189 of 2024 is, accordingly, disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)