

**In the High Court At Calcutta
Jalpaiguri Circuit Bench**

CRM (DB) 559 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Pradhan Nagar Police Station** Case No. **334 of 2024** dated **17.05.2024** under Sections **498A/325/354B/506** of the Indian Penal Code and Sections 3 and 4 of the D. P. Act and Sections 9 and 10 of the Child Marriage Act and Section 6 of the POCSO Act.

- A n d -

In the matter of : Dhanoranjana Adhikary @ Dhanarajana Adhikari

.... Petitioner.

Mr. Subham Ghosh,
Mr. Mayank Roy,

... For the Petitioner.

Mr. Aditi Shankar Chakraborty,
Mr. Sanjiv Das,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. Service report filed by the State be kept with the records.
2. In spite of service, nobody appears for the defacto complainant/victim girl.
3. The petitioner says that he has been falsely implicated. There was an amorous relationship between him and the victim girl. They ran away together. He is in custody for 170 days. He prays for bail.
4. While opposing the prayer, learned State Advocate shows us the statements of the victim girl recorded under Section 164 of the Code of Criminal Procedure. That statement does not corroborate the prosecution case at all. The victim girl refused medical examination.

5. In view of the aforesaid, we are inclined to enlarge the petitioner on bail.

6. Accordingly, we direct that the petitioner, namely, **Dhanoranjana Adhikary @ Dhanaranjana Adhikari**, 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 Additional Sessions Judge, First Court, Siliguri 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 and on further condition that the petitioner shall meet the officer-in-charge of the concerned police station once in a week until further orders. The petitioner shall not leave the jurisdiction of the learned trial court.

7. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

8. The application for bail is, accordingly, allowed.

9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Biswaroop Chowdhury, J.)**

(**Arijit Banerjee, J.)**