

20.03.2025
Item no. 28.
Court No.29.
AB
(Allowed)

CRM (DB) 521 of 2025

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 Barabazar Police Station Case No.97 of 2024 Dated 08.06.2024 under Sections 363/365/417 of the Indian Penal Code read with Section 6 of the POCSO Act

And

In the matter of : Sanatan Sing Sardar @ Sanatan Sing

.....Petitioner.

Mr. S. B. Mukherjeefor the Petitioner.

Mr. Anand Keshri,
Mr. Koustav Banerjeefor the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State, be kept with the records.
2. Service report filed by the State, be also kept with the records. Nobody appears for the defacto complainant/victim in spite of service.
3. The petitioner says that he has been falsely implicated. He had a relationship with the victim girl. He is a little over 18 year old. The victim girl is 17+. The victim girl voluntarily eloped with him. They had consensual physical relationship. He is in custody for nine months. Charge is yet to be framed. There are 22 charge sheet named witnesses. There is no possibility of an early conclusion of the trial. He prays for bail.

4. Learned State Advocate, while opposing the bail prayer, draws our attention to the statement of the victim girl recorded under Section 183 B.N.S.S. 2023. From the statement, we find that it is true that the victim girl went with the petitioner on her own volition. She admits of a longstanding relationship with the petitioner. The medical report prima facie does not support the prosecution case.
5. In view of the aforesaid and considering that an early conclusion of the trial is highly unlikely since charge has not yet been framed and there are 22 charge sheet named witnesses to be examined, we are inclined to allow the petitioner's prayer for bail.
6. Accordingly, we direct that the petitioner, namely **SANATAN SING SARDAR @ SANATAN SING** 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 Purulia, and on further conditions that he shall not enter the jurisdiction of Barabazar Police Station except for attending the court proceedings and shall provide the address where he shall presently reside to the Officer in Charge of the Barabazar Police Station and shall meet the Officer in Charge of the concerned police station within whose jurisdiction he shall presently reside twice in a week until further orders. The petitioner shall not

leave the territorial jurisdiction of Purulia District until further orders.

7. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
8. 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.
9. The application for bail is, accordingly, allowed.
10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)