

CRM (DB) 387 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Malda Police Station** Case No. **743 of 2024** dated **22.10.2024** under Sections **137(2)/140(3)** of the BNS and Section 6 of the POCSO Act.

- A n d -

In the matter of : Mangal Ruidas

.... Petitioner.

Mr. Amit Ranjan Pati,
Mr. S. Chowdhury,

... For the Petitioner.

Mr. Bitasok Banerjee,
Ms. S. 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.
3. The petitioner says that although investigation is not yet complete, he is in custody for 79 days and there is absolutely no material to implicate him. He is the husband of a friend of the victim girl.
4. Learned State Advocate opposes the bail prayer.
5. We have seen the statement of the victim girl recorded under Section 164 of the Criminal Procedure Code. She clearly says that she eloped with a person and married him. The police arrested the present petitioner who is the husband of a friend of her. So she wants to do everything to see that the case is dismissed against the present petitioner.
6. In view of the aforesaid statement of the victim girl, although investigation is not complete, we do not see any

justification for further detention of the petitioner in judicial custody.

7. Accordingly, we direct that the petitioner, namely, **Mangal Ruidas**, 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 Special Court under the POCSO Act, 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 and on further condition that the petitioner while on bail shall not leave the jurisdiction of the concerned police station and shall meet the I.C of the concerned police station once every fortnight until further orders.

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.)**