

CRM (DB) 425 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 **Jagatballavpur Police Station** Case No. **62 of 2022** dated **17.04.2022** under Sections **363/365/344/376** of the Indian Penal Code and Section 4 of the POCSO Act.

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In the matter of : Vola Hasda

.... Petitioner.

Mr. Toslim Ali,
Ms. Rituparna Bhadra,

... For the Petitioner.

Mrs. Sonali Das,
Mr. Atulya Sinha,

... 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 none appears for the defacto complainant/victim.
3. The petitioner is in custody for about three years. He says that he has been falsely implicated. He shows us the deposition of the victim girl who has been examined before the learned Trial Court. The victim girl clearly says that there was a love affair between her and the petitioner. The petitioner married her. They lived in the petitioner's family home for some time. Thereafter, one day she fell ill. The petitioner left her in front of her parental house. We have also seen the cross examination of the victim girl.
4. On an overall assessment of the material on record and considering the period of detention of the petitioner and seeing that only 1 out of 28 charge sheet named witnesses has been examined till date, we are inclined to enlarge the petitioner on bail.
5. Accordingly, we direct that the petitioner, namely, **Vola Hasda**, 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 Judge under the POCSO Act, Howrah subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and on further conditions that the petitioner while on bail shall not leave the jurisdiction of the concerned Police Station and shall meet the I.C./O.C. of the concerned Police Station once in a fortnight until further orders.

6. 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.

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

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

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)