

28.03.2025
Item no. 53.
Court No.29.
AB
(Allowed)

CRM (DB) 674 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 Murarai Police Station Case No.204 of 2024 Dated 07.12.2024 under Section 137(2)/140(3)/64(1)/62 of the B.N.S. 2023 read with Section 8/18 of the POCSO Act

And

In the matter of : Sohel Sk.

.....Petitioner.

Mr. Bitoshok Banerjee
Mr. A. Salam

.....for the Petitioner.

Mr. Saryati Dutta
Ms. Ayana Dey

.....for the State.

Dictated by Arijit Banerjee, J.

1. Service report filed by the State, be kept with the records. In spite of service, nobody appears for the defacto complainant/victim.
2. The petitioner says that he has been falsely implicated. There was a love affair between him and the victim girl. The relationship having turned sour, this false complaint was lodged. He is in custody for 102 days. Investigation is complete. His further custodial detention is not necessary.
3. Learned Advocate for the State draws our attention to the statement of the victim girl recorded under Section 183 B.N.S.S. 2023. The victim girl has refused medical examination.
4. On an overall assessment of the quality and quantity of the material available in the case diary and considering

that investigation is complete, we are of the view that the petitioner may be enlarged on bail.

5. Accordingly, we direct that the petitioner, namely **SOHEL SK.** 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 Rampurhat, Birbhum, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.
6. 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.
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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

