

28.02.2025

Serial no. 10

[Dd]

(Bail **allowed**)

CRM (DB) 3826 of 2024

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Nowda** Police Station Case No. **248** of **2023** dated **26.07.2023** under Sections **323/506/307/509/376/109** of the Indian Penal Code, 1860 and Sections **4 and 17** of the POCSO Act, 2012 and Charge sheet submitted under Sections **323/506/307/509/376/109** of the Indian Penal Code, 1860 and Sections **4 and 17** of the POCSO Act, 2012

-And-

In the matter of : Nur Islam Sk @ Noor Islam Sk

... .. Petitioner

*Mr. Ashok Das,
Mr. Saptarshee Pakrashy, Advocate s
... .. For the Petitioner*

*Mr. Partha Pratim Das,
Mr. Debadrita Mondal, Advocates
... ..For the State*

*Mr. Amanul Islam,
Mr. Sourav Mukherjee, Advocates
.....For the victim*

1. There subsists a marriage certificate of the marriage between the petitioner and the victim.
2. Petitioner was enlarged on interim bail by the co-ordinate Bench on January 10, 2025.
3. There is no evidence that the petitioner misutilized such opportunity in the interregnum.
4. Police filed charge sheet.
5. Further detention of the petitioner in custody does not appear from the materials on record.
6. In such circumstances, we confirm the interim bail granted in favour of the Petitioner.

7. ,we grant bail to the petitioner.
8. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court (under POCSO Act) Berhampore, Murshidabad subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
9. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.
10. The prayer for bail of the petitioner is **allowed**.
11. **CRM (DB) 3826 of 2024 is disposed of.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)