

CRM (DB) 4214 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Haripal Police Station** Case No. **256 of 2024** dated **10.05.2024** under Sections **363/365** of the Indian Penal Code and Section 6(1) of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act.

- A n d -

In the matter of : Rohit Bar

.... Petitioner.

Mr. Abhra Mukherjee,
Mr. Sauradeep Dutta,
Mr. A. Mukherjee,
Mr. Himadree Ghosh,

... For the Petitioner.

Mr. Bibaswan Bhattacharyya,
Ms. M. Basak,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The victim girl (about 16 years of age) admits in her statement recorded under Section 164 of the Code of Criminal Procedure that she voluntarily ran away with the petitioner (about 18 years of age). The victim admits of an amorous relationship with the petitioner. She says that she has married the petitioner.

2. We find that charge sheet has been submitted upon completion of investigation. Charge has also been framed. Today is fixed for recording of evidence of the defacto complainant. The petitioner is in custody for 192 days.

3. Given the material on record, we are of the view that further custodial detention of the petitioner is not necessary.

4. Accordingly, we direct that the petitioner, namely, **Rohit Bar**, 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, Chandannagore, Hooghly 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 O.C of the concerned police station once every fortnight until further orders.

5. 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.

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

7. 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.)