

20.02.2025
Item no.29.
Court No.29.
S. De
(Allowed)

CRM (DB) No. 154 of 2025

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 **Dhubulia Police Station Case No. 286 of 2024** dated **03.08.2024** under **Sections 137(2)/140(3)/3(5)** of the **Bharatiya Naya Sanhita, 2023 & Section 65(1) of the Bharatiya Naya Sanhita, 2023** and **Section 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.**

And

In the matter of : Sahin Mondal @ Sahin Sk @ Sahid Mondal.
.....Petitioner.

Mr. Snehansu Majumder,for the Petitioner.

Mr. Saibal Bapuli, Ld. APP,
Ms. Suveni Banerjee,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 de facto complainant/victim.

2. We see from the statement of the victim girl recorded under Section 164 Cr.P.C. (Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023) that she voluntarily ran away with the petitioner. She was about 15 years old. The petitioner was about 20 years old. The victim clearly says that she is in love with the petitioner. The medical report does not disclose much.

3. In view of the aforesaid and since investigation is complete, we are of the opinion that further custodial detention of the petitioner is not necessary.

4. Accordingly, we direct that the petitioner, namely, **Sahin Mondal @ Sahin Sk @ Sahid Mondal** 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 POCSO Act), Krishnagar, Nadia subject to the condition, the petitioner shall remain within the jurisdiction of Dhubulia Police Station and shall meet the Inspector-in-Charge of the Dhubulia Police Station once in a fortnight, until further orders.

5. 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 in any manner whatsoever.

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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)