

27.02.2025
Item No.38
Court No.26
Allowed
CHC

CRM (DB) 4423 of 2024

In re : An Application for **Bail** under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Khardah** Police Station Case No. **573** of **2024** dated **17.10.2024** under Sections **137(2)** of BNS 2023 and Section 6 of POCSO Act.

-And-

In the matter of : Danish Ashraf

... ... Petitioner

Mr. Debasis Kar, Advocate
Mr. Arka Tilak Bhadra, Advocate
... ... *For the Petitioner*

Mrs. Manisha Sharma, Advocate
Ms. Chandreyi Dutta, Advocate
... ...*For the State*

Ms. Anasuya Bhattacharya, Advocate
(appointed by Legal Aid)
Ms. Munmun Chakraborty, Advocate
... *For the de facto complainant*

1. Victim recorded her statement under Section 183 of the BNSS stating that there was an affair between her and the petitioner. Victim refused to undergo medical examination.
2. Police filed charge-sheet.
3. De facto complainant is represented.
4. Considering the period of detention of the petitioner and the fact that police filed charge-sheet, we do not find need for detention of the petitioner any further.
5. In such circumstances, we are inclined to grant bail to the petitioner.
6. 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 Court of Special Judge (POCSO Act), Barrackpore**, 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.

7. 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.
8. The prayer for bail of the petitioner is **allowed**.
9. CRM(DB) 4423 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)