

***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

19.08.2019.
13.
as
(Allowed).

C.R.M. 630 of 2019

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.07.2019 in connection with Bhaktinagar P. S. Case No.88 of 2019 dated 02.02.2019 under Sections 493/506 of the Indian Penal Code.

In the matter of : Tapash Roy.

... Petitioner.

Mr. Arnab Sengupta,
Mr. Rajesh Kr. Sharma,
Ms. Deborshi Dhar.

...for the Petitioner.

Mr. Saikat Chatterjee,
Ms. Namrata Das.

.....for the State.

Heard the learned Advocates appearing for the parties.

Having considered the materials on record and bearing in mind the nature of allegations and in the light of the submission that there was an amorous relationship between the petitioner and the victim, who was a major lady at the time of cohabitation and was aware of the consequences thereof, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner, namely, Tapash Roy shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall meet the investigating officer once in a week until further order.

In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application, being CRM 630 of 2019, is disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)