

Court No. 11

CRM 6634 of 2020

CRAN 1 of 2020

16.09.2020

(dl. 30)

(S. Banerjee)

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bamongola Police Station Case No. 146 of 2020 dated 10.08.2020 under Sections 417/376/506 of the Indian Penal Code.

Allowed

And

In the matter of: Rajesh Tudu

...petitioner

Mr. Arup Krishna Bhowmick, Ld. Advocate

... for the petitioner

Mr. Tanmoy Kumar Ghosh, Ld. Advocate

Mr. Arindam Sen, Ld. Advocate

... for the State

Having heard the learned advocate for the petitioner and the learned Public Prosecutor-in-charge and on perusal of the application for bail as well as the case diary, it is ascertained that both the petitioner and the victim lady are major. There was a consensual physical relationship between them. It is alleged that the petitioner refused to marry the victim subsequently. So is the complaint.

Since the victim lady is major she is presumed to be aware of the consequence of such physical relationship.

Therefore, we are inclined to release the petitioner on bail.

The petitioner may find bail on furnishing bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of like amount, one of whom shall be a local surety to the satisfaction of the learned Chief Judicial Magistrate, Malda with further condition that he will not tamper the evidence or intimidate the witness and will appear before the learned trial court on each

date of trial, failing which the bail of the petitioner shall be cancelled without further reference to this court.

CRM 6634 of 2020 and CRAN 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Bibek Chaudhuri, J.)