

19.10.2020

BP/BR
Sl.12

CRM 7919 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Duttapukur Police Station Case No. 596 of 2020 dated 16.08.2020 under Sections 376/506/509 of the Indian Penal Code.

In the matter of : Prasenjit Chakraborty....petitioner

Mr. Parthapratim Das
..for the petitioner.

Ms. Sukanya Bhattacharya
Md. Kutubuddin
..for the State.

Mr. Atis Kumar Biswas
Mr. Amit Singh
..for the de-facto complainant.

The petitioner undertakes to appropriately stamp the petition as per the Rules within one month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Mr. Parthapratim Das, learned advocate for the petitioner submits that the petitioner as well as the

victim girl both are adult. The victim lady is a married one. Both of them were having some lover affair and both are also the consenting party. Therefore, according to Mr. Das, no offence has been committed by the petitioner. Therefore, the petitioner should be enlarged on bail.

Learned advocate for the State opposes the prayer for bail and produces the case diary.

Considering the case diary and after perusing the medical report, in our considered view, the petitioner should be enlarged on bail. Accordingly, the prayer for bail is allowed.

Let the petitioner 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 CJM, Barasat, North 24 Parganas subject to the condition that during bail the petitioner shall appear before the learned trial court regularly till disposal of the trial and on further condition the petitioner shall not enter the jurisdiction of Duttapukur Police Station and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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 any reference to this court.

The application for bail being C.R.M. 7919 of 2020 and CRAN 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Aniruddha Roy, J.)