

21.10.2020
Court No.03
Item No. 61
Krishnendu
Bail Granted

**C.R.M. 8391 of 2020
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Gazole P.S. Case No. 407 of 2020 dated 03.09.2020 under sections 493/ 376/ 313/323/506/34 of the Indian Penal Code.

And

In Re : **Bikash Biswas**

.....Petitioner

Mr. Mrityunjoy Chatterjee

....For the Petitioner

Mr. Saibal Bapuli

Mr. Arani Bhattacharya

.....For the State

Having considered the materials on record and keeping in mind the facts and circumstances of the case in the light of the submission that the victim lady was major at the time of consensual cohabitation and in view of the period of detention suffered by the petitioner, i.e. about a month, we are inclined in granting bail to the petitioner.

Accordingly, the petitioner 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 Chief Judicial Magistrate, Malda subject to the condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

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.

The application for bail, being CRM No. 8391 of 2020, is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Abhijit Gangopadhyay, J)

(Joymalya Bagchi, J)