

24.12.2020
Sl. No.42
akd
[ALLOWED]

C. R. M. 9670 of 2020

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.10.2020 in connection with Balurghat Police Station Case No. 319 of 2018 dated 01.10.2018 under Sections 376/323/506 of the Indian Penal Code. (G.R. Case No.743 of 2018)

And

In Re: ***Indra Rabidas @ Indrajit @ Indrejit***

... .. Petitioner

Mr. Kaushik Choudhury .. Advocate

... .. for the petitioner

Mrs. Sukanya Bhattacharyya .. Advocate

Md. Kutubuddin .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that there is delay in lodging FIR.

Learned advocate appearing for the State opposes the prayer for bail.

Allegation of forcible rape may be considered in the light of the aforesaid submission made on behalf of the petitioner. Under such circumstances including the period of detention suffered by the petitioner and as investigation is complete, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Indra Rabidas @ Indrajit @ Indrejit***, 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 Chief Judicial Magistrate, Dakshin Dinajpur subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)