

14.12.2020
Sl. No.49
akd
[ALLOWED]

C. R. M. 10289 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.12.2020 in connection with Taherpur Police Station Case No. 147 of 2020 dated 16.09.2020 under Sections 417/376/420/323 of the Indian Penal Code.

And

In Re: **Anindya Sundar Dey @ Aninda Sundar Dey**

... .. Petitioner

Ms. Minoti Gomes .. Advocate

Mr. Partha Sarathi Das .. Advocate

... .. for the petitioner

Ms. Faria Hossain .. Advocate

Ms. Baisali Basu .. Advocate

... .. for the State

Heard the learned advocates appearing for both the parties.

Genuineness of the allegation of rape may be assessed in the light of the submission that the victim was a consenting married lady. In view of the facts of the case, period of detention suffered by the petitioner i.e. 89 days 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 **Anindya Sundar Dey @ Aninda Sundar Dey**, 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia 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.)