

07.12.2021
Sl. No.63
akd
[ALLOWED]

C. R. M. 5739 of 2021

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.08.2021 in connection with Hirabandh Police Station Case No. 25 of 2021 dated 13.07.2021 under Sections 417/376 of the Indian Penal Code. (G.R. Case No.330 of 2021)

And

In Re: ***Rabin @ Rabindranath Hansda***

... .. Petitioner

Mr. Debasish Sur
Mr. Angshuman Patra

... .. for the petitioner

Mr. Shiladitya Banerjee
Mr. Narayan Prasad Agarwala

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 146 days. It is further submitted that the victim is a major lady and had cohabited out of free will.

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

We have considered the materials on record. Petitioner and the victim were major and had cohabited together. In view of the aforesaid facts, 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 ***Rabin @ Rabindranath Hansda***, 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, Khatra, Bankura 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**.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)