

21.09.2021
Serial no. 17
Dd

(Through Video Conference)

CRM 6141 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **15th September, 2021** in connection with **Berhampore** Police Station Case No. **685 of 2020** dated **11.07.2020** under **Sections 363/ 366/ 34** of the Indian Penal Code **and Section 4** of Protection of Children From Sexual offences Act, 2012.

-And-

In the matter of : Rajib Biswas @ Obaidul Biswas @ Rajib
... ..Petitioner

Mr. Somnath Adhikary, Advocate
... .. For the Petitioner

Mr. Tanmoy Kr. Ghorai,
Mr. Arindam Sen, Advocates
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that there was a love relationship between the petitioner and the victim girl. The petitioner is in custody for 67 days. Since the police submitted charge sheet, further detention of the petitioner is not necessary.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Cr.P.C. of the victim girl as well as the medical report.

Considering the claim of the petitioner that there was a love relationship and considering the contents of the statement recorded under Section 164 of the Cr.P.C. and considering the medical report and the fact that the police submitted charge sheet, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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, Berhampore, Murshidabad subject to condition that the petitioner shall appear before the learned 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 the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is **allowed**.

CRM 6141 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)