

Sl. 49
01.11.2021
Court No.8
SD/GB

CRM 6957 of 2021
(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 25.10.2021 in connection with Arambagh Women P.S. Case No.55 of 2021 dated 26.8.2021 under Sections 376/417/420/406/493/494 of the Indian Penal Code, 1860.

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In the matter of : Mantu Dolui @ Montu Dolui

.... Petitioner.

Mr. Niladri Sekhar Ghosh

... For the Petitioner.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

... for the State.

The petitioner is seeking release on bail in connection with Arambagh Women P.S. Case No.55 of 2021 under Sections 376/417/420/406/493/494 of the Indian Penal Code.

It is submitted that the petitioner is in custody for the last 72 days in connection with the aforesaid case and that he was into a live-in relationship with the victim lady who is aged 36 years. This case squarely falls within the purview of promise to marry. The question whether there was at all any abstract consent obtained by the petitioner, is a matter of decision in the trial.

However, we are of the view that since the victim lady herself has allowed the violation of chastity on her own and being a major lady, on her consent to live with the petitioner and further that the charge-sheet has already been submitted after usual investigation, the prayer for bail is considered and allowed.

The petitioner may be admitted on bail upon furnishing a bond of Rs.5,000/- (Rupees five thousand only) with two sureties of like

amount, to the satisfaction of the learned Additional Chief Judicial Magistrate, Arambagh subject to the condition that the petitioner shall appear before the learned Trial Court on every date of hearing till further order and shall not intimidate the witnesses or tamper with evidence in connection with this case.

The prayer for bail is allowed. CRM 6957 of 2021 is disposed of.

(Ananda Kumar Mukherjee, J.)

(Shivakant Prasad, J.)