

06.12.2021.
73.
as
(Allowed)

C.R.M. 7913 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali P. S. Case No.360 of 2021 dated 29.05.2021 under Sections 363/366/34 of the Indian Penal Code.

In the matter of : Bhim Biswas.

.... Petitioner.

Mr. Prabir Majumder.

...for the Petitioner.

Mr. Sandip Chakraborty.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner that there was a love affair between the petitioner and the victim girl. He has been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for bail and submits that the victim is a minor.

We have considered the materials on record including the statement of the victim girl in the light of the submission that there was a love affair between the parties.

Under such circumstances and keeping in mind the period of detention suffered by the petitioner and as investigation is complete, we are inclined in granting bail to the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of

the learned Additional Chief Judicial Magistrate, Ranaghat at Nadia subject to condition that the 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application, being C.R.M.7913 of 2021, is disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)