

129
(AD/
KC) 10.12.2021
Court No.28
(Allowed)

C.R.M. 8120 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bolpur** P.S. Case No.**37 of 2021** dated **29/06/2021** under Section **376** of the Indian Penal Code, 1860.

And

In the matter of: Patal Hemram

....petitioner.

Mr. Sanjib Kumar Dan
Mr. Arup Kumar Saha

...for the petitioner.

Mr. Bidyut Roy
Mr. M.F.A. Begg

... for the State.

Petitioner is in custody for 176 days and it is submitted that the allegation of forcible rape is patently improbable. He has been falsely implicated due to personal disputes.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the victim girl.

In view of the facts and circumstances of the case and the period of detention suffered by the petitioner and as investigation is complete, we grant bail to the petitioner.

Accordingly, the petitioner 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, Bolpur, Birbhum on condition that the petitioner shall appear before the trial court on every date of hearing 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 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)