

2. 02.08.2021
Ct.32
Tanmoy
Allowed

**In The High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

(Through Video Conference)

C.R.M. 760 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **16.07.2021** in connection with **Siliguri Women Police Station Case No. 75 of 2021** dated **14.06.2021** under Sections **376/417/506** of the Indian Penal Code.

And

In the matter of: - **Bikash Sahani**

....petitioner.

Mr. Shibaji Kumar Das

...for the petitioner

Mr. Kallol Acharya,
Ms. Namrata Das

...for the State.

The petitioner, Bikash Sahani, has sought for his release on bail on condition that he has been incarcerated in jail for the last 50 days and he is no way involved in commission of the offence, rather he has been unnecessarily implicated. Admittedly, he was the friend of the principal accused. He was into love affair with the victim lady aged 19 years.

Having heard learned counsel for the petitioner and the State and bearing in mind peculiar nature of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and other material on record placed in the Case Diary, we are inclined to release the accused 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 learned Additional Chief Judicial Magistrate, Siliguri, District-Darjeeling and on further condition that the petitioner shall appear before the trial Court on every date of hearing and shall meet the Investigating Officer of the Police Station within the jurisdiction of which he resides once in a fortnight till completion of investigation until further orders. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

Accordingly, prayer for bail is **Allowed**.

The application for bail being C.R.M. 760 of 2021 is, thus, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Shivakant Prasad, J.)