

25.02.2022
Serial no. 51
Dd

CRM (DB) 545 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Berhampore Women** Police Station Case No. **163 of 2021** dated **03.12.2021** under Sections **376/420/506** of the Indian Penal Code subsequently charge Sheet submitted under Sections **376/417/385/506** of the Indian Penal Code.

-And-

In the matter of : Sukanta Chatterjee

...Petitioner

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

Mr. S.S. Imam,
Mr. S. Kundu, Advocates
... ...For the State

Mr. Arindam Sen,
Mr. Saurav Basu,
Mr. Debducta Pathak, Advocates
.. ...For the de facto complainant

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 80 days. The police complainant is a result of a previous relationship turning sour.

Learned advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statements of the victim recorded under Section 164 of the Criminal Procedure Code. In response to a query of the Court, he submits that the police filed charge sheet.

Learned advocate appearing for the de facto complainant submits that there are past incidents where the petitioner indulged in such relationship with other persons.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that police filed charge sheet and considering the period of detention of the petitioner, 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 of the petitioner is **allowed**.

CRM (DB) 545 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)