

CRM (DB) 843 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Balagarh Police Station Case No. 27 of 2022 dated 21.01.2022 under Sections 417/376/323/379/506/34 later on improvised to Section 417/376(2)(n)/323/354/379/506/34 of the Indian Penal Code.

-And-

In the matter of : Surojit Mondal

...Petitioner

Mr. Utsav Dutta, Advocate

... .. For the Petitioner

Ms. Z. N. Khan, Advocate

Mr. Ashok Das, Advocates

... ...For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 67 days. There was an extramarital affair between the petitioner and the victim. The victim was already married. The petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the nature of relationship between herself and the victim as transpiring from her statement and considering the period of detention of the petitioner and considering the fact that the police filed charge-sheet, 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, Chinsurah, Hooghly, 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) 843 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)