

01.04.2022

Serial no. 49

[Dd]

(Bail **allowed**)

CRM (DB) 870 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Hanskhali** Police Station Case No. **43** of **2022** dated **13.01.2022** under Sections **376/506** of the Indian Penal Code.

-And-

In the matter of : Palash Das

... .. Petitioner

Mr. Asraf Mondal, Advocate

... .. *For the Petitioner*

Mr. P. K. Dutta, Ld. APP

Mr. Santanu Deb Roy, Advocates

.. ...*For the State*

Ms. Minoti Gomes, Advocate

... .. *For the de facto complainant*

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 67 days. The police complaint is a result of a relationship going sour.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Learned advocate appearing for the de facto complainant submits that the de facto complainant is an adult. The disputes and differences between the de facto complainant and the petitioner stand resolved. She relies upon an affidavit affirmed by the de facto complainant in this regard.

In the affidavit of the de facto complainant, she claims that due to family pressure she was compelled to file

the police complaint. Now two families resolved the disputes.

In the circumstances, considering the period of detention of the petitioner and considering the affidavit of the de facto complainant filed in Court, 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia** 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) 870 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)