

58 06.05.2022
AD Ct. No.29
(Allowed)

C.R.M. (DB) 1219 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Karimpur** P.S. Case No.**89 of 2022** dated **25/04/2022** under Sections **376/417/323/506/34** of the Indian Penal Code.

And

In the matter of: Jaganath @ Jagannath Shil

....petitioner.

Mr. Kallol Mondal
Mr. Amanul Islam
Mr. Krishan Ray
Mr. Souvik Das
Mr. Sourav Mukherjee
Mr. Anamitra Banerjee

...for the petitioner.

Mr. Bidyut Kumar Roy
Ms. Rita Datta

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner and the victim were in a relationship. The police complaint is a result of the relationship turning sour. He submits that the victim is married to another person and is with the child out of such marriage.

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.

In her statement recorded under Section 164 of the Code of Criminal Procedure, the victim acknowledges that there was a relationship between her and the petitioner.

Considering the period of detention of the petitioner and considering the materials in the case diary including the statement

of the victim recorded under Section 164 of the Code of Criminal Procedure and considering her marital status, we grant bail to the petitioner.

Accordingly, the petitioner 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, Tehatta, Nadia, subject to the condition that during bail the petitioner shall appear before the learned trial court on every date of hearing and that the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The prayer for bail of the petitioner is allowed.

The application for bail being **C.R.M. (DB) 1219 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Kausik Chanda, J.)