

C.R.M. 5199 of 2021

11.04.2022
Sl. 115
Court No.29
(sourav)
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Santipur** Police Station Case No. **551** of **2020** dated **23.11.2020** under Sections **341/376/506** of the Indian Penal Code.

And

In the matter of: **Suman Barman**

....petitioner.

Ms. Minoti Gomes

...for the petitioner.

Mr. Bidyut Kumar Roy

Ms. Rita Datta

... for the State.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the petitioner and the defacto complainant were into a voluntary relationship. She refers to the evidence of the defacto complainant recorded at the trial.

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

In the facts of the present case, it appears that the trial is in progress. The defacto complainant was examined-in-chief and cross-examined. In cross-examination, the defacto complainant claimed that there was a relationship between her and the petitioner. She also stated that the petitioner did not do anything untoward to her on the fateful day.

Considering the period of detention of the petitioner and considering the deposition of the defacto complainant both in examination-in-chief and cross-examination, we grant bail to the petitioner.

Accordingly, the petitioner be released 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 the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to the condition that during bail he shall appear before the learned trial court on every date of hearing and 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 application for bail being **C.R.M. 5199 of 2021** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

