

24.06.2022
Sl. No.25
akd
[ALLOWED]

C. R. M. (DB) 1971 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.06.2022 in connection with Pandua Police Station Case No. 389 of 2021 dated 11.09.2021 under Sections 376/506/34 of the Indian Penal Code read with Sections 6/7/8/10/16 of the POCSO Act.

And

In Re: **Rana Khetropal**

... .. Petitioner

Mr. Debasis Sur
Mr. Himadri Sekhar Paul
Mr. Angshuman Patra

... .. for the petitioner

Mr. Binay Panda
Mrs. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 284 days. It is further submitted there was a love affair between the parties.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Allegation of forcible rape requires to be assessed in the light of the aforesaid submission relating to amorous relationship between the parties. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Rana Khetropal**, 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, Hooghly subject to condition that the said petitioner shall

appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)