

13.07.2022
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allowed

CRM(DB) No. 2271 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Narendrapur Police Station Case No. 379 of 2022 dated 19.04.2022 under Sections 363/365 of the Indian Penal Code and adding Sections 417/376 of the Indian Penal Code.

And

In Re : Sampad Pramanik petitioner

Mr. Angshuman Chakraborty

Mr. Sasanka Sekhar Saha

Mr. Ashutosh Mandal

.....for the petitioner

Mr. Debabrata Chatterjee, learned APP

Mr. Santanu Chatterjee

..... for the State

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 46 days. It is also submitted that there was cohabitation between two consenting adults.

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

We have considered the materials on record. Victim was a major lady at the time of cohabitation and was aware of the consequences thereof.

In view of the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to him.

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 at Alipore, South 24 Parganas, on conditions that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)