

19.07.2022.
19.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2344 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala P. S. Case No.319 of 2022 dated 18.05.2022 under Sections 448/376/506 of the Indian Penal Code.

In the matter of : Tapas Mandal.

.... Petitioner.

Ms. Sananda Bhattacharyya.

...for the Petitioner.

Mr. Debabrat Chatterjee, Id. A.P.P.,
Mr. Santanu Chatterjee.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 59 days. It is submitted that the allegations are out and out false and there is inordinate delay in lodging the first information report.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record including statement of the victim lady. Explanation with regard to delay requires to be assessed in the light of attending circumstances during trial. Moreover, from the statement of the victim it appears that the instant case was lodged after the petitioner had reported the matter to police.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined in granting bail to the petitioner.

Accordingly, the petitioner shall 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 condition that he 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)