

25.07.2022
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allowed

CRM(DB) No. 2444 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lake Town Police Station Case No. 29 of 2022 dated 12.02.2022 under Sections 417/376/420/379/506 of the Indian Penal Code.

And

In Re : Durjay Santra alias Bappa petitioner

Ms. Karabi Roy
Mr. Ashish Dey

.....for the petitioner

Mr. Saibal Bapuli, learned APP
Mr. Bibaswan Bhattacharya

..... for the State

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 49 days. It is also submitted that victim is a married lady and had voluntarily cohabited with the petitioner.

Learned Counsel appearing for the State opposes the prayer for bail. He submits that the victim was threatened and compelled to cohabit with the petitioner. Petitioner threatened to upload objectionable pictures of the victim on the Internet.

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

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 Additional

Chief Judicial Magistrate, Bidhannagar, North 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.)