

18.08.2022  
cm/ct 28  
sl no. 16

**C.R.M.(DB) No. 2763 of 2022**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Chandipur P.S Case No. 110 of 2022** dated **13.04.2022** under Sections **354B/354D/376/419/506/511/34** of the Indian Penal Code.

And

**Allowed**

In Re : Arijit Khatua

..... petitioner

Mr. Amitabha Karmakar  
Mr. Arup Kumar Bhowmick

..... for the petitioner

Mr. Joydeep Roy  
Ms. Sujata Das

..... for the State

Petitioner is in custody for 30 days. He submits that there is inordinate delay in lodging the First Information Report. It is further submitted that victim was a major lady and there was free mixing between the parties.

Learned lawyer 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 consequences thereof. No materials with regard to objectionable pictures of the victim taken by the petitioner is placed before this court. There is delay in lodging the First Information Report. Under such circumstances, we are inclined to 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, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Purba Medinipur at Tamluk on condition that the petitioner shall appear before the trial court on every date of

hearing 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 being CRM(DB) No.2763 of 2022 is disposed of.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**