

26.08.2022.
17.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2871 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chakdaha P. S. Case No.393 of 2022 dated 12.06.2022 under Sections 376/506 of the Indian Penal Code.

In the matter of : Krishna Roy.

.... Petitioner.

Ms. Minoti Gomes.

...for the Petitioner.

Mr. Prasun Kr. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 74 days. It is contended he has been falsely implicated by his daughter-in-law over matrimonial dispute.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. It is alleged the victim was raped on 17.05.2022. FIR came to be registered on 12.06.2022. No explanation with regard to delay in lodging FIR is forthcoming. Medical report dated 21.06.2022 showing fresh injury on left hand cannot relate to an incident more than a month ago.

Under such circumstances and in view of the period of detention suffered by the petitioner, we are inclined to grant 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, Kalyani, 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.)