

26.08.2022
as/ct 28
sl no. 25

C.R.M. (DB) 2879 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gobardhanpur Coastal P.S case no. 30 of 2022 dated 8.6.2022 under sections 376/417/506 of the IPC
and

Allowed

In Re : Dibakar Das ... petitioner

Mr. Kallol Basu
Mr. Anindya Sundar Das
Mr. D Samanta
Ms. Avipsa Sarkar
Md. Jannat Ul Firdous

..... for the petitioner

Mr. B K Roy
Ms. Sima Biswas

..... for the State

Petitioner is in custody for 44 days. It is submitted there was a consensual relationship between the parties and was aware of the consequences thereof.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record including the statement of the victim recorded under section 164 Cr.P.C. Victim was major at the time of cohabitation and was aware of the consequences thereof.

Keeping in mind the aforesaid fact and period of detention suffered by the petitioner, 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 each, one of whom must be local to the satisfaction of the learned ACJM, Kakdwip, South 24 Parganas 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) 2879 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)