

26.08.2022
as/ct 28
sl no. 27

C.R.M. (DB) 2881 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranitala P.S case no. 248 of 2022 dated 13.6.2022 under sections 376/417 of the IPC
and

Allowed

In Re : Yeasin Sk @ Shibu @ Md. Yeasin Sk. ... petitioner

Mr. M Chatterjee
Md. Golam Nure Imrohi

..... for the petitioner

Mr. Debabrata Chatterjee
Ms. Mausumi Sarkar

..... for the State

Petitioner is in custody for 35 days. It is submitted victim was a major lady and cohabited out of her own volition.

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 a major lady at the time of cohabitation and was aware of the consequences thereof.

Under such circumstances and keeping in mind the 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, Lalbag, Murshidabad 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) 2881 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)