

02.09.2022.
13.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2963 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jhargram P. S. Case No.225 of 2022 dated 26.07.2022 under Sections 376/417 of the Indian Penal Code.

In the matter of : Lam Kalyan Thambi.

.... Petitioner.

Mr. S. Das Mahapatra.

...for the Petitioner.

Mr. Atif Ahmed Siddiqui.

...for the State.

Petitioner is in custody for 39 days. He submits there was an extra marital affair between him and the victim lady who is also married. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Victim was a major and married woman at the time of cohabitation. She was aware of the consequences thereof. In view of the aforesaid circumstances and 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 Chief Judicial Magistrate, Jhargram 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.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)