

22.09.2022.
24.
as
(Allowed)

C.R.M. (DB) 3219 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala P. S. Case No.522 of 2022 dated 21.07.2022 under Sections 448/376/325/506/34 of the Indian Penal Code.

In the matter of : Haran Bhadra.

.... Petitioner.

Mr. Kaustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar.

...for the Petitioner.

Mr. S. S. Imam,
Mr. R. Jana.

...for the State.

Petitioner is in custody for 62 days. It is contended there is a family dispute and he has been falsely implicated.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is the elder brother-in-law of the victim lady. It is contended there is a family dispute between the parties. Allegation of forcible rape requires to be assessed in the light of the aforesaid submission made on behalf of the petitioner. Investigation is complete.

Under such circumstances, 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, Ranaghat, 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 while on bail shall remain outside the jurisdiction of Dhantala Police Station except for the purposes of investigation and/or attending court proceeding and shall provide the address where he shall reside while on bail to the Investigating Officer as well as the court below and report to the Officer-in-charge of the concerned Police Station within whose jurisdiction he shall reside once in a week until further orders.

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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)