

28.09.2022.
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as
(Allowed)

C.R.M. (DB) 3270 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Liluah P. S. Case No.346 of 2022 dated 19.07.2022 under Sections 376/417/506 of the Indian Penal Code.

In the matter of : Sonu Kumar Prasad.

.... Petitioner.

Mr. Pawan Kr. Gupta,
Mr. Sailendra Tiwari.

...for the Petitioner.

Mr. Atif Ahmed Siddiqui.

...for the State.

Petitioner is in custody for 68 days. It is submitted victim was a major lady at the time of cohabitation.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Victim was a major lady at the time of cohabitation and was aware of the consequences thereof.

Keeping in mind the aforesaid fact 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, Howrah 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 and on further condition that the petitioner shall also co-operate with the investigating agency for DNA examination.

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.)