

29.09.2022
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allowed

CRM(DB) No. 3366 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Cyber Crime Police Station, Krishnangar Police Station(KPD) Case No. 21 of 2022 dated 23.06.2022 under Sections 292/376/323/509/34 of the Indian Penal Code.

And

In Re : Bholanath Mondal petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder
.....for the petitioner

Mr. Anowar Hossain
Ms. Ratna Ghosh
..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 50 days. Investigation is complete. It is also submitted that victim was a major lady at the time of cohabitation.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record including statement of the victim lady who was major at the time of cohabitation and was aware of the consequences thereof.

Under such circumstances, we are inclined to grant bail to him.

Accordingly we direct that 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 the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without 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, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)