

29.09.2022
tkm/ct 28
sl no. 79

C.R.M. (DB) 3394 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Baguiati P.S case no. 330 of 2022 dated 16.8.2022 under sections 376/417/120B of the IPC
and

Allowed

In Re : Palash Saha

..... petitioner

Mr. Debabrata Mondal

Ms. Sonali Das

Ms. S Neogi

..... for the petitioner

Mr. T K Ghosh

Mr. Arindam Sen

..... for the State

Petitioner is in custody for 41 days. It is submitted that the victim was major at the time of cohabitation. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record. Victim was major lady at the time of cohabitation. Keeping in mind the facts and circumstances of the case and 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 CJM, Barasat, North 24 Parganas on 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) 3394 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)