

07.11.2022
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allowed

CRM(DB) No. 3655 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Amta Police Station Case No. 294 of 2022 dated 06.09.2022 under Sections 341/354B/354C/406/509/506 of the Indian Penal Code and adding Sections 376/417 of the Indian Penal Code.

And

In Re : Sourav Malik petitioner

Mr. Anindya Ghosh
.....for the petitioner

Mr. Joydeep Roy
Mr. Amanul Islam
..... for the State

Learned Counsel appearing for the petitioner submits there was a love affair between the parties and the victim was major at the time of cohabitation.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record including the statement of the victim. Victim was major at the time of cohabitation. Keeping in mind the aforesaid circumstance and the period of detention suffered by the petitioner, 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, Uluberia, Howrah, 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.)