

04.11.2022.
30.
as
(Allowed)

C.R.M. (DB) 3861 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar P. S. Case No.1399 of 2022 dated 11.09.2022 under Sections 448/323/325/354/506/34 of the Indian Penal Code and adding Sections 417/376 of the Indian Penal Code.

In the matter of : Sk. Hadikul.

.... Petitioner.

Ms. Minoti Gomes,
Mr. Musharraf Alam Sk.

...for the Petitioner.

Mr. S. S. Imam,
Mr. S. Kundu.

...for the State.

Petitioner is in custody for 55 days. He submits there was a love affair between the parties. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Victim girl was major at the time of cohabitation. Statement shows there was a love affair between the parties.

Under such circumstances, we are of the opinion further detention for progress of investigation is not necessary and he may be granted bail.

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, Malda 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.

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.)