

29.11.2022.
27.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4182 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bishnupur P. S. Case No.147 of 2022 dated 02.08.2022 under Sections 376/506 of the Indian Penal Code.

In the matter of : Alam Mondal.

.... Petitioner.

Ms. Pampa Dey (Dhabal).

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. S. D. Roy.

...for the State.

Petitioner is in custody for 110 days. It is submitted victim voluntarily accompanied him. There is delay in lodging the first information report. Investigation is complete. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Allegation of forcible sexual intercourse requires to be assessed in the light of the aforesaid submissions made on behalf of the petitioner.

Under such circumstances and in view of the period of detention suffered by him, 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 Additional Chief Judicial Magistrate, Bishnupur, Bankura subject to condition 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.)