

15.12.2022
tkm/ct 28
sl no. 40

C.R.M. (DB) 4407 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Jadavpur P.S case no. 221 of 2022 dated 2.11.2022 under sections 376/417/420/506 of the IPC
and

Allowed

In Re : Ankit Sharma

..... petitioner

Mr. Arindam Sen
Mr. R Gupta

..... for the petitioner

Mr. S Bapuli
Mr. S Samanta

..... for the State

Petitioner is in custody for about a month. He submits victim lady was major at the time of occurrence. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Victim was a major lady at the time of cohabitation. She was aware of the consequence of her act.

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

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 ACJM, Alipore, South 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 she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application being CRM (DB) 4407 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)