

15.12.2022
tkm/ct 28
sl no. 47

C.R.M. (DB) 4414 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Rampurhat P.S case no. 544 of 2022 dated 11.10.2022 under sections 417/376/323/506 of the IPC
and

Allowed In Re : Satyajit Saha petitioner

Mr. Angshuman Chakraborty
Mr. S S Saha

..... for the petitioner

Mr. A A Siddique

..... for the State

Petitioner is in custody for 65 days. It is contended there was a consensual relationship between the two adults. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Allegation of rape requires to be assessed in the light of the aforesaid submission made on behalf of the petitioners.

Under such circumstances and in view of 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 ACJM, Rampurhat 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) 4414 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)