

20.12.2022
tkm/ct 28
sl no. 46

C.R.M. (DB) 4471 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kaliachak P.S case no. 1192 of 2021 dated 27.10.2021 under sections 376/406/493/34 IPC
And

Allowed

In Re : Mijanur Rahaman petitioner

Mr. Rana Mukherjee
Mr. R Mukherjee

..... for the petitioner

Ms. Faria Hossain
Mr. Anand Keshari

..... for the State

Ms. Sujata Das

..... for the de facto complainant

Petitioner is in custody for 41 days. It is submitted there was a love affair between the parties.

Learned lawyer for the State opposes the prayer for bail.

Learned lawyer for the de facto complainant does not oppose the prayer for bail.

We have considered materials on record. No report with regard to administration of intoxicants or electronic evidence regarding obscene pictures is placed before us.

Under such circumstances, 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 CJM, Malda 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) 4471 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)