

11.07.2022.

Ct.No. 1

Item No. 15

sp

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (DB) 233 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973, filed on 07.07.2022, in connection with Women (Jalpaiguri) Police Station Case No. 42 of 2022 dated 18.06.2022 under Sections 493/376(2)(n) of the Indian Penal Code.

And

In the matter of : **Bijoy Adhikary.** ...petitioner

Mr. Jaydeep Kanta Bhowmik

...For the petitioner

Mr. Aditi Shankar Chakraborty, Id. APP,

Mr. Nilay Chakraborty,

Mr. Tapan Bhattacharjee

....For the State

The application for bail is canvassed on the ground that the victim induced the petitioner into a relationship suppressing the fact that she was already married.

The petitioner and the victim met on Face-Book. After the victim's husband came to know about the aforesaid facts, she changed her version. The victim, in a meeting of the villagers, has stated that she will not have any further relations with the petitioner and the petitioner was equally warned against the same.

Counsel for the State opposes the prayer for bail on the ground that the charges under Section 376(2)(n) of the Indian Penal Code has been framed.

Having considered the entire gamut of the facts and the Case Diary, this Court is of the view that the petitioner is entitled to bail.

In that view of the matter, let the petitioner be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of Rs. 5,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri, subject to the conditions that the petitioner shall co-operate with the investigation as and when required or called for and the petitioner shall meet the Investigating Officer of the case once in a week until further order.

C.R.M. (DB) 233 of 2022, shall stand allowed.

The Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)