

13.01.2023
tkm/ct 28
sl no. 54

C.R.M. (DB) 133 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Asansol (North) P.S case no. 525 of 2022 dated 1.12.2022 under sections 376/377/354C/120B/506 of the IPC and

Allowed

In Re : Brijnandan Ram

..... petitioner

Mr. Suman De
Mr. T Mukherjee
Mr S Chakraborty
Mr. Kunal Ganguly

..... for the petitioner

Mr. Joydeep Roy
Ms. Sujata Das

..... for the State

Petitioner is in custody for 44 days. It is contended earlier case alleging rape was registered by the survivor against the petitioner, his son and other family members. They have been acquitted of the case. Subsequently, the present case has been registered. He prays for bail.

Learned lawyer for the State opposes the prayer for bail and submits petitioner had uploaded objectionable videos of the survivor.

We have considered the materials on record. An earlier case alleging rape by the son of the petitioner was registered. Petitioner, his son and other family members were acquitted from the case. In this backdrop, possibility of false implication in the subsequent case cannot be wholly ruled out.

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, Paschim Bardhaman 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) 133 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)