

23.02.2023
tkm/ct 28
sl no. 64

C.R.M. (DB) 735 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Howrah P.S case no. 452 of 2022 dated 10.10.2022 under sections 417/376/506/34 of the IPC
and

Allowed

In Re : Mohammad Shakil @ Mahammad @ Md. Shakeel
..... petitioner

Mr. Sagar Saha
Mr. Firdos Jaman

..... for the petitioner

Mr. T K Ghosh
Mr. Arindam Sen

..... for the State

Liberty to correct the cause title.

Petitioner is in custody for 132 days. It is submitted victim was major at the time of incident. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. There was a consensual relationship between the two adults.

Keeping in mind the aforesaid fact, 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, Howrah 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) 735 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)