

20.03.2023
tkm/ct 28
sl no. 56

C.R.M. (DB) 971 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Chakdah PS case no. 56 of 2023 dated 30.1.2023 under sections 363/365/34 IPC
and

Allowed

In Re : Babusona Kaiputra @ Kehar @ Kahar petitioner

Mr. Shibaji Kr Das
Ms. R Sreemani
Ms. R Sarkar

..... for the petitioner

Mr. Arijit Ganguly
Mr. Avik Ghatak

..... for the State

Ms. Deblina Lahiri

..... for the de facto

It is submitted on behalf of the petitioner that the victim had voluntarily left with him. He prays for bail.

Learned lawyer for the State opposes the bail prayer. He submits victim is a minor.

Learned lawyer for the de facto complainant also opposes the bail prayer.

We have considered the materials on record including the statement of the minor. She states that she had voluntarily left with the petitioner. Under such circumstances, we are of the opinion though further detention of the petitioner is not necessary, his movement requires to be restricted in order to prevent recurrence of similar offence.

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, Kalyani 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 and on further condition that the petitioner while on bail shall not enter the jurisdiction of Chakdah P.S until further orders and shall report to the officer in charge of the P.S concerned within whose jurisdiction he shall presently reside once in a week until further orders.

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) 971 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)