

29.03.2023  
SI. No.44  
akd  
[ALLOWED]

C. R. M. (DB) 1203 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.03.2023 in connection with Panchla Police Station Case No.09 of 2023 dated 16.01.2023 under Section 376 of the Indian Penal Code.

And

In Re: **Manas Das**

... .. Petitioner

Mr. Mrityunjoy Chatterjee  
Mr. Debapriya Majumder

... .. for the petitioner

Mr. S. S. Imam  
Mr. S. Kundu

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 72 days. It is further submitted husband of the victim lady had taken a loan and petitioner was falsely implicated. Investigation is complete.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Allegation of rape requires to be assessed in the light of the aforesaid submissions made on behalf of the petitioner. Investigation is complete. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Manas Das**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Howrah subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders

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 for bail, thus, stands allowed.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**