

17.07.2023
as/tkm/ct 28
sl no. 27

C.R.M. (DB) 1789 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ratua P.S case no. 375 of 2020 dated 18.8.2020 under sections 376/323/506/34 IPC
and

Allowed

In Re : Sanjoy Ghosh @ Sajoy Ghosh ... petitioner

Mr. S Chatterjee
Ms. Sucheta Banerjee

..... for the petitioner

Mr. T K Ghosh
Mr. Asraf Mondal

..... for the State

Heard learned lawyers for the parties.

Report is placed on record.

We have considered the materials on record. Victim has been examined. It is contended there is delay in lodging FIR. Credibility of the allegations is required to be assessed in the light of the attending facts and circumstances including the delay in lodging FIR. Vulnerable witness has been examined.

Under such circumstances and keeping in mind the period of detention suffered by the petitioner, 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 ACJM, Chanchal, Malda 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) 1789 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)