

03.05.2023.
34.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1795 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Durgapur P. S. Case No.173 of 2023 dated 22.03.2023 under Sections 376/417/34 of the Indian Penal Code.

In the matter of : Mansingh Murmu.

... Petitioner.

Mr. Krishnendu Banerjee,
Md. Idrish,
Mr. Pallab Kanjilal.

...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. Aniket Mitra,
Ms. Jonaki Saha.

...for the State.

Petitioner is in custody for 42 days. He submits he is an Engineer and there was free mixing between the parties. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits petitioner suppressed his marital status and cohabited with the victim.

We have considered the materials on record. Suppression of marital status has serious impact on the free consent of a woman who chooses to cohabit with a man on the expectation of marriage.

In view of the aforesaid materials on record and as investigation is still in progress, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)