

10.05.2023.
59.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 1850 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali P. S. Case No.272 of 2023 dated 29.03.2023 under Sections 448/376/417/506 of the Indian Penal Code.

In the matter of : Sujan Ghosh.

.... Petitioner.

Mr. Asraf Mandal.

...for the Petitioner.

Mr. Bidyut Kr. Roy,

Ms. Rita Datta.

...for the State.

Petitioner is in custody for 43 days. It is submitted petitioner is the cousin brother-in-law of the victim. There was free mixing between the parties. He has been falsely implicated. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Parties are known to each other. Victim is a major lady. She was aware of the consequences of the relationship.

Under such circumstances and in view of the period of detention suffered by the petitioner i.e. 43 days, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Sujan Ghosh shall 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that he 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 the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)