

18.05.2023.
36.
Ct.No.28
as
(Allowed)

C.R.M. (DB) 2020 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar P. S. Case No.86 of 2023 dated 17.02.2023 under Sections 376/417 of the Indian Penal Code.

In the matter of : Sahin Sahah @ Sahin Sha.

.... Petitioner.

Ms. Minoti Gomes.

...for the Petitioner.

Mr. Debabrata Chatterjee, Id. A.P.P.,

Mr. Santanu Chatterjee.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Victim lady was major at the time of cohabitation. She was aware of the consequences of the association.

Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner i.e. about a month, we are of the opinion further detention for progress of investigation is not necessary and he may be enlarged on bail.

Accordingly, the petitioner viz., Sahin Sahah @ Sahin Sha 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 Chief Judicial Magistrate, Lalbag, Murshidabad 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.

Presence of the Investigating Officer is noted and dispensed with.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)