

18.05.2023
Sl. No.45
akd
[ALLOWED]

C. R. M. (DB) 2029 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.05.2023 in connection with Kaliganj Police Station Case No.114 of 2023 dated 02.03.2023 under Sections 376/417/323/506/34 of the Indian Penal Code.

And

In Re: **Sahidul Mallick**

... .. Petitioner

Mr. Atis Kumar Biswas
Ms. Jyoti Agarwal

... .. for the petitioner

Mr. Sanjib Seth

... .. for the de-facto complainant

Mr. Debabrata Chatterjee .. Id. Addl. Public Prosecutor
Mr. Santanu Chatterjee

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. There was a consensual relationship between the parties. As they were related to each other, marriage could not be solemnized. Keeping in mind the aforesaid facts, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Sahidul Mallick**, 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 Additional Chief Judicial Magistrate, Krishnagar, Nadia 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.)