

09.06.2023
tkm/ct 28
sl no. 41

C.R.M. (DB) 2210 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Joypur P.S case no. 86 of 2023 dated 14.4.2023 under sections 376/417/313/506 of the IPC read with section 34 of the IPC

and

Allowed

In Re : Sankhyadip Dey

... petitioner

Mr. Samrat Chowdhury
Mr. Sandip Das

..... for the petitioner

Mr. S G Mukherjee, Id PP
Mr. Arijit Ganguly
Mr. S K Dan

..... for the State

Petitioner submits FIR was registered two years after commencement of relationship between the parties. Victim was a major lady at the time of cohabitation. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered materials on record. We note that the victim was a major lady at the time of cohabitation and was aware of the consequences thereof. Allegation of miscarriage is not supported by medical evidence.

Under such circumstances, 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, Bishnupur (Bankura) 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) 2210 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)