

23.08.2023
tkm/ct 28
sl no. 46

C.R.M. (DB) 3312 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Thanarpara P.S case no. 147 of 2023 dated 25.7.2023 under sections 376/417/506 IPC
and

Allowed

In Re : Ghanashyam Halder ... petitioner

Mr. S Das Mahapatra
Mr. Amanul Islam

..... for the petitioner

Mr. Debabrata Chatterjee
Mr. Santanu Chatterjee

..... for the State

1. Petitioner is in custody for 27 days. It is contended that the victim was a married lady and was major at the time cohabitation. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer. He submits that the victim cohabited with the petitioner on the false promise of marriage.
3. We have considered the materials on record. Both the parties are adults. Victim was aware of the consequences of cohabitation.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. 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 Tehatta, Nadia on 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.

6. 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.

7. The application being CRM (DB) 3312 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)