

03.10.2023
27
sdas
allowed

CRM(DB) No. 3788 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Singur Police Station Case No. 274 of 2023 dated 19.07.2023 under Sections 417/376/420/406 of the Indian Penal Code.

And

In Re : Rajkumar Jana petitioner

Mr. Bitasok Banerjee

Mr. Abdus Salam

....for the petitioner

Mr. S. G. Mukherji, learned PP

Mr. Partha Pratim Das

Mrs. Manasi Roy

..... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. Victim was an adult lady at the time of cohabitation. Allegation of rape requires to be assessed in the light of the aforesaid circumstance during trial. Petitioner is in custody for 40 days and investigation is complete. There is no chance of his abscondence. Accordingly, we are inclined to grant bail to the petitioner.

3. Accordingly, we direct that the petitioner 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, Chandannagar, Hooghly, subject to condition that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

4. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)