

D/L. 55.
January 30, 2023.
MNS

***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM (DB) No. 14 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.01.2023 in connection with Sessions Case No. 92 of 2021 arising out of Bagdogra Police Station Case No. 173 of 2021 dated 09.05.2021 under Sections 417/365/376/379/506 of the Indian Penal Code.

In the matter of : Rahamat Ali @ Md Hassain @ Md Hasin
@ Rohamat Alii
... Petitioner.

Mr. Hillol Saha Podder
...for the Petitioner.

Mr. Nilay Chakraborty,
Mr. Chhotu Roy
.....for the State.

Learned counsel for the petitioner submits that the petitioner is aged about 29 years and the victim lady is about 22 years of age and there has been a romantic relation between them all along.

It transpires from the submission of the victim herself that the victim was taken by the petitioner by motor cycle to the alleged place of occurrence of the crime and she returned by the same motor cycle to her place. It is thus submitted that there is ample scope of giving benefit of doubt for the purpose of granting bail to the petitioner.

Learned counsel for the State opposes the prayer for bail.

However, as recorded above, the submissions of the petitioner, which are corroborated by the materials on record, indicate that there is ample scope of extending the benefit of doubt to the petitioner for the purpose of granting bail.

Accordingly, the prayer for bail is allowed and the petitioner, namely, Rahamat Ali @ Md Hassain @ Md Hasin @ Rohamat Alii, shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees ten Thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Additional Chief Judicial Magistrate, Siliguri, subject to the condition that the petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall appear before the trial court on each and every date of hearing and shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the court or to any police officer or tamper with evidence in any manner whatsoever.

This application, being CRM (DB) 14 of 2023, is accordingly disposed of.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)

