

01.03.2024
tkm/ct 28
sl no. 61

C.R.M. (DB) 610 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranaghat P.S case no. 533 of 2023 dated 15.8.2023 under sections 376/506 IPC
and

Allowed

In Re : Rajen Kapuria ... petitioner

Mr. Khalid Hasan

..... for the petitioner

Mr. Jaydeep Biswas

..... for the State

1. Petitioner is in custody for 170 days. He submits he has been falsely implicated. Investigation is complete. He prays for bail.

2. Learned lawyer for the State opposes the bail prayer.

3. We have considered the materials on record. Statement of the victim shows she was administered stupefying substance and raped. Her objectionable pictures were taken. However, no electronic evidence with regard to the alleged objectionable pictures is placed on record. Investigation is complete. Credibility of the allegation may be assessed during trial.

4. Keeping in mind the aforesaid facts, 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 Ranaghat, 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) 610 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)