

24.04.2024
tkm/ct 28
sl no. 39

C.R.M. (DB) 1293 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Tehatta P.S case no. 1030 of 2023 dated 27.12.2023 under sections 109/417/376/506 IPC
and

Allowed

In Re : Arindam Biswas petitioner

Mr. Sandip Chakraborty
Mr. A Islam
Mr. Sourav Mukherjee
Mr. K Das

..... for the petitioner

Mr. S Bapuli
Ms. Puspita Saha

..... for the State

1. In spite of notice nobody appears for the victim.
2. We have considered the statement of the victim. She was a major lady at the time of cohabitation and was aware of the consequences thereof. Petitioner is in custody for 118 days. Investigation is complete. There is no chance of abscondence.
3. Under such circumstances, we are inclined to enlarge the petitioner on bail.
4. 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.
5. In the event he fails to do so or resorts to dilatory tactics and delay the trial, trial court shall be at liberty to cancel his bail without reference to this court.
6. The application being CRM (DB) 1293 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)