

01.8.2024
Ct. No. 6
SL No. 31
SB

C.R.M. (DB) 1725 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bhatpara** P.S. Case No. 105 of **2023** dated 14.2.2023 under Section 376 of Indian Penal Code and Sections 66(E) and 67(A) of I.T. Act.

In the matter of: Pradyuman Kumar

Mr. Debasish Kar
Ms. Jagori Mitra ...for the Petitioner

Mr. Rana Mukherjee
Mr. Ashok Dasfor the State

1. Petitioner is in custody for one year & six months. He contends victim is an elderly lady and was related to him. There was a monetary transaction between him and the family of the victim. When loan was not repaid he was falsely implicated. The victim has been examined and he prays for bail.
2. Learned counsel for the State opposes the prayer for bail. He contends the obscene video had been uploaded by the petitioner.
3. We have considered the materials on record. Petitioner is a relation of the victim. In the F.I.R. it is alleged he had extended loan to her. In her deposition the victim came out with a different case. She alleged he administered her drug and raped her. Credibility of her version requires to be assessed during trial. Vulnerable witness has already been examined. There is no possibility of winning over witnesses.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of

Signed By :
SAURABH
BANDYOPADHYA
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High Court of
Calcutta
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whom must be local, to the satisfaction of the learned Additional Sessions Judge, 1ST Court, in-charge, Barrackpore subject to the condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and on further condition while he is on bail he shall not enter the jurisdiction of the Bhatpara Police Station except for the purpose of attending Court proceeding and shall report to the officer-in-charge Bhatpara Police Station once in a week until further order.

6. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.
7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)