

CRM (DB) 1945 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Sabang Police Station** Case No. **131 of 2024** dated **18.04.2024** under Sections **376(2)(n)/506** of the Indian Penal Code.

- A n d -

In the matter of : Ramkrishna Mandal

.... Petitioner.

Mr. Amit Ranjan Pati,
Mr. S. Chowdhury,

... For the petitioner.

Mr. Ranadeb Dasgupta,
Mr. K. Bapuli,

... For the State.

The petitioner and the victim lady are both married persons. The petitioner is 24 years old. The victim lady is 25 years old.

Apparently they met at a football match and became friends. The victim lady alleges that on that day itself at night the petitioner had come over to her place and had ravished her.

The petitioner is in custody for 74 days. Investigation has therefore progressed substantially. Police custody of the petitioner was taken but nothing was recovered from him. The medical report does not reveal anything significant.

In the facts and circumstances of the case and assessing the material in the case diary, although charge sheet may not have been filed, we are of the view that further custodial detention of the petitioner may not be necessary so long as he cooperates with the Investigating Officer.

The State has filed a report regarding service of notice of this bail application on the defacto complainant. Let the same be kept with the records.

Accordingly, we direct that the petitioner, namely, **Ramkrishna Mandal**, 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 Chief Judicial Magistrate, Paschim Medinipur and on further conditions that he shall not enter the jurisdiction of the Sabang police station and until further orders. The 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.

In the event the petitioner fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)