

CRM (DB) 2245 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chinsurah Police Station** Case No. **82 of 2024** dated **09.06.2024** under Sections **376/417/34/420/506** of the Indian Penal Code.

- A n d -

In the matter of : Dr. Akash Ghosh

.... Petitioner.

Mr. Kajal Ray,
Mr. Suman Nandi,

... For the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Mirza Firoj Ahmed Begg,

... For the State.

1. The petitioner states he is a medical practitioner. The victim girl has lodged another criminal case alleging cohabitation by another individual namely, Abhijit Basak. Hence, he prays for bail.

2. Learned lawyer for the State opposes the bail prayer and submits the petitioner is a married individual and had falsely cohabited with the victim.

3 Inspite of service nobody appears for the victim.

4. We have considered the materials on record. We have also examined the statement of the victim. She alleges the petitioner had cohabited with her on false promise of marriage. He did not disclose he had an earlier marriage. Though the aforesaid allegation is serious, on or about the same time the defacto complainant had alleged she had an intimate relationship with another person, namely, Abhijit Basak, a professional photographer and that he had also outraged her modesty.

5. We are of the opinion credibility of the allegation of cohabitation on false promise of marriage requires to be assessed in the light of the aforesaid circumstances during trial. Further detention of the petitioner is not necessary. Hence, we are inclined to enlarge the petitioner on bail.

6. Accordingly, we direct that the petitioner, namely, **Dr. Akash Ghosh**, 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, Hooghly and on further conditions that 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.

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

8. The application for bail is, accordingly, allowed.

(**Gaurang Kanth, J.**)

(**Joymalya Bagchi, J.**)