

CRM (DB) 2977 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of BNSS in connection with **Haringhata Police Station** Case No. **331 of 2024** dated **25.06.2024** under Sections **376/417/323/34** of the Indian Penal Code.

- A n d -

In the matter of : Kumar Hansda

.... Petitioner.

Mr. Shibaji Kr. Das,
Mr. Dipendu Sarkar,
Ms. Deblina De,

... For the Petitioner.

Mr. Suman De,
Ms. Pushpita Saha,

... For the State.

1. Heard the learned lawyers for both the parties.
2. We have considered the materials on record.
3. The victim was an adult lady at the time of cohabitation. Whether the victim was induced to cohabit through deception required to be assessed during trial.
4. In view of the aforesaid, we are of the opinion that further custodial detention of the petitioner is not necessary and he may be enlarged on bail.
5. Accordingly, we direct that the petitioner, namely, **Kumar Hansda**, 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 Additional Sessions Judge, Kalyani, Nadia 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.

6. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)