

C.R.M. (DB) 2981 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 in connection with **Chakdah P.S. Case No. 584 of 2024 dated June 2, 2024** under **Sections 341/323/376/417/506/34** of the Indian Penal Code.

And

In the matter of: **Jayanta Biswas @ Baban & Anr.**

Mr. Shibaji Kumar Das, ...for the Petitioner.

Mr. Debabrata Chatterjee,
Mr. Sandip Kundu,for the State.

Mr. Anit Dey, ...for the de facto complainant.

1. Heard the learned lawyers for both the parties.
2. We have considered the materials on record. Petitioner no.1 cohabited with an adult lady. Petitioner no.2 is his father. They are in custody for 60 and 50 days respectively. Whether the cohabitation was procured through deception requires to be assessed during trial.
3. In view of the aforesaid facts we are of the opinion further detention of the petitioners is not necessary and they may be enlarged on bail.
4. Accordingly, we direct the petitioners viz. **Jayanta Biswas @ Baban** and **Lakhsman @ Laxman @ Lakshman Biswas** shall be released on bail upon furnishing a bond of Rs.10,000/-each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kalyani, Nadia subject to the condition that the petitioners 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)