

14.11.2024
Sl. No.82
SG
[ALLOWED]

C. R. M. (DB) 3634 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.10.2024 in connection with C. Spl No. 63 of 2024 arising out of Domkal Police Station Case No. 225 of 2024 dated 16.04.2024 under Sections 363/365/34 of the Indian Penal Code, 1860.

And

In Re: ***Rahul Halder***

... .. Petitioner

Ms. Minoti Gomes,
Mr. Md. G.N. Imrohi.

... .. for the petitioner

Ms. Anasuya Sinha,
Ms. Baishakhi Chatterjee.

... .. for the State

Mr. Rameshwar Sinha,
Ms. Debanjana Sen.

... for the de facto complainant

1. Learned Advocate for the petitioner submits he is in custody for 84 days. He contends there was a romantic relationship between himself and the minor victim. Accordingly, he prays for bail.
2. Learned Advocate for the State submits minor became pregnant and the fetus had to be aborted.
3. Learned Advocate for the *de facto* complainant submits petitioner is threatening him and other witness.
4. We have considered the materials on record. Statement of the minor is exonerative in nature. Cohabitation was out of love between two young persons. However, *de facto* complainant alleges petitioner and his associates are holding out threats.
5. Accordingly, we are of the opinion further detention of the petitioner is not necessary and movement of the petitioner

requires to be restricted in order to instill confidence in the minds of the *de facto* complainant and others.

6. Therefore, the accused/petitioner, namely **Rahul Halder** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special (POSCO) Court, Berhampore, Murshidabad subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition petitioner while on bail shall not enter Doulatabad Police Station and shall provide the address where he shall presently reside to the investigating agency as well as the jurisdictional court and shall report to the officer-in-charge of the police station concerned within whose jurisdiction he shall presently reside once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
7. In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.
8. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)