

14.11.2024

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Allowed

C.R.M. (DB) No. 3781 of 2024

In Re:- An application for bail under Section 483 of BNSS in connection with Kalyani Police Station Case No. 705 of 2024 dated 06.09.2024 under Sections 376/417 of the Indian Penal Code.

And

In Re : Rupam Pramanik @ Bolu petitioner

Mr. Dhananjoy Banerjee

Ms. Saheli Mondal

Mr. Krishnendu Ghosh

.... for the petitioner

Mr. Iqbal Kabir

Mr. Abhishek Verma

.... for the State

Mr. Samrat Choudhury

.... for the de facto complainant

1. Learned Counsel for the petitioner submits victim is a major girl and cohabited with the petitioner on her own volition. Petitioner is in custody for 26 days. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. Learned Counsel for the *de facto complainant* does not oppose the bail prayer.

4. We have considered the materials on record. Keeping in mind the facts and circumstances of the case and the fact that *de facto complainant* does not oppose the bail prayer we are inclined to grant bail to the petitioner.

5. Accordingly, we direct the petitioner 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 Chief Judicial Magistrate, Kalyani, Nadia, subject to condition that 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.

6. In the event petitioner fails to appear before the trial court without any 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.)