

03.02.2023  
tkm/ct 28  
sl no. 58

**C.R.M. (DB) 472 of 2023**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dadpur P.S case no.188 of 2022 dated 5.8.2022 under sections 376(2)(n)/323/506 IPC read with section 66 E of the Information Technology Act 21(c) of the NDPS Act  
and

**Allowed**

In Re : Bapan Ghorui

..... petitioner

Mr. Arunava Ganguly

..... for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

..... for the State

Petitioner is in custody for five months. It is submitted there was a consensual relationship between the parties. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. There is no evidence with regard to uploading of objectionable pictures of the victim by the petitioner.

Keeping in mind the aforesaid fact and in the light of the submission that there was consensual relationship between the parties, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 CJM, Hooghly at Chinsurah on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) 472 of 2023 is disposed of.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**