

S.C. 104 / 2022

Order No. 02 dtd. 30.08.2022

Sole accused namely Prabhakar Chaturvedi is produced from correctional home. He is remanded to correctional home till 16.11.2022.

To date for production.

A fresh vokatnama is filed on behalf of accused. Let the same be kept with the record.

A bail petition is filed on behalf of the accused praying for his bail on the ground stated therein.

Bail petition is taken up for hearing.

Heard Ld. P.P.-in-charge and Ld. Lawyer for the accused.

Perused bail petition and the record. Considered.

Ld. Lawyer for the accused submits that charge sheet has been submitted in this case and as such, further detention of the accused is not required for the purpose of investigation. He further submits that the accused is in custody since 05.07.2022. He prays for bail of the accused on any condition.

Ld. P.P.-in-charge opposes the prayer for bail.

It transpires from the record that the instant case was started against the accused and another on the basis of a complaint under section 156(3) Cr.P.C. There is allegation against the accused that he has induced the defacto complainant to obtain divorce from her husband and thereafter, he would marry her. Upon his assurance and inducement, the defacto complainant obtained divorce and started residing with the accused, who took her to his house many times and established physical relation with her and subsequently, refused to marry her.

I have carefully perused the F.I.R. and statement of victim lady under section 164 Cr.P.C.

Considering the fact that charge sheet has already been submitted against the accused under sections 376/420 I.P.C. and her statement under section 164 Cr.P.C., I am inclined to allow the prayer for bail of the accused. Hence, prayer for bail of the accused is allowed.

The accused Prabhakar Chaturvedi may find bail of Rs. 5000/- with two sureties of Rs. 2500/- each subject to satisfaction of Ld. A.C.J.M., Serampore on condition that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the court or tamper with evidence.

Return C.D.

If on bail, to date for consideration of charge.

Dictated & corrected by me.

Sd/- (Sri M.K. Rai)
A.S.J.

Sd/- (Sri M.K. Rai)

Additional Sessions Judge
1st Court, Serampore