

21.12.2020  
Item no. 100  
Court No.28  
AB

**C.R.M. No.10587 of 2020**

**(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Baguiati Police Station Case No.354 of 2020 Dated 11.10.2020 under Sections 376 511/506/509 of the Indian Penal Code

And

In the matter of:-

Md. Altab Zargar @ Md. Altaf Zargar

... Petitioner

Mr. P. P. Das,  
Mr. Pabitra Talukdar,  
Ms. Dona Akter,  
Mr. H. Rahaman

.. for the petitioner

Mr. Swapan Kr. Banerjee,  
Mr. Suman De

..for the State

We have considered the materials on record. The allegation of forcible rape may be assessed in the light of the attending factors of the case.

Under such circumstances and in view of the period of detention suffered by the petitioner i.e. 72 days and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, each of whom must be

local, to the satisfaction of the learned Chief Judicial Magistrate, North 24 Parganas at Barasat, subject to the condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

**(Suvra Ghosh, J.)**

**(Joymalya Bagchi, J.)**