

22.12.2020
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allowed

**CRM 10624 of 2020
(via video conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 797 of 2019 dated 18.10.2019 under Sections 341/326/307/34 of the Indian Penal Code.

And

In Re : Rakibul Sk. @ Rakibul Sekh petitioner

Mr. Golam Mostafa

.....for the petitioner

Ms. Z. N. Khan

Smt. Sreeparna Das

..... for the State

Petitioner prays for bail.

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

We have considered the materials on record. We note that the victim has already recovered and she is out of danger.

Under such circumstances and in view of the period of detention suffered by the petitioner i.e. 80 days, we are inclined in granting bail to him.

Accordingly, we direct that 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 Chief Judicial Magistrate, Murshidabad, subject to the condition that the petitioner 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 automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)