

39. 05.08.2021
Ct.32
Tanmoy
Allowed

C.R.M. 3326 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **12.04.2021** in connection with **Shantipur Police Station Case No. 568/2020** dated **28/11/2020** under Sections **448/325/376/511/506** of the Indian Penal Code.

And

In the matter of: - **Kajal Ahamed @ Kajal Ahammed**

....petitioner.

Mr. Prabir Majumder

...for the petitioner.

Mr. P.K. Datta, Ld. A.P.P.,
Mr. Santanu Deb Roy

...for the State.

The charges against the petitioner are of inflicting grievous bodily harm and attempted rape.

The allegation is that the petitioner entered the room of the victim and tried to commit rape on her. Upon the victim resisting, the petitioner assaulted her with a knife causing injury to her.

We have seen the material in the Case Diary including statements of witnesses recorded under Sections 161/164 of the Code of Criminal Procedure. We have also seen the injury report. The injury appears to be simple.

Charge-sheet has been filed. The petitioner is in custody for 253 days.

Considering the nature and gravity of the offence that the petitioner has been charged with and the overall facts and circumstances of the case, we are of the view that further custodial detention of the petitioner is not necessary.

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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, on condition that the petitioner shall appear before the trial Court on every date of hearing and shall meet the Officer-in-Charge of the Police Station within the jurisdiction of which he resides once in a fortnight until further orders and shall not leave the district without leave of the Officer-in-Charge. The petitioner is further directed not to intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit similar offence in future.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial Court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail being C.R.M. 3326 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)