

06.09.2021
Serial no.13
Dd

(Through Video Conference)

CRM 5659 of 2021

In re : An Application for Bail under Section **439** of the Code of Criminal Procedure filed on **23.08.2021** in connection with **Manikchak** Police Station Case No. **173 of 2021** dated **04.05.2021** under **Sections 376/417** of the Indian Penal Code (G.R. Case no. 2278/2021).

And

In the matter of : Md. Astab Ali
... ..**Petitioner**

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick, advocates
... .. For the Petitioner

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan, advocates
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated in the criminal case. It is alleged against the petitioner that the petitioner cohabited with the promise to marry but did not fulfil the promise of marriage.

Learned advocate appearing for the State draws the attention of the court to the statement recorded under Section 164 of the Criminal Procedure Code of the victim.

Having considered the facts and circumstances of the case and in view of the fact that the charge sheet was submitted, we 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, one of whom must be local, to the satisfaction of the learned Chief

Judicial Magistrate, Malda, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

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

The application for bail is **allowed**.

CRM 5659 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)