

29.09.2021
Serial no. 15
Aloke

(Through Video Conference)

CRM 6365 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 07.09.2021 in connection with Nakashipara Police Station Case No. 75 of 2013 dated 19.01.2013 under Sections 417/376(2)(g)/511 of the Indian Penal Code.

And

In the matter of : Bhola @ Rahul Sk.

...Petitioner

Mr. Prabir Majumdar, Advocate

... ... For the Petitioner

Mr. Debabrata Chatterjee, Advocate

Ms. Moushumi Sarkar, Advocate

... ...For the State

Petitioner seeks bail

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of 344 days. He contends that since the police submitted charge-sheet further detention of the petitioner is not required.

Learned Advocate appearing for the State refers to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure.

Considering the fact that the police submitted charge-sheet, 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, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia, subject to condition that the petitioner shall appear before the jurisdictional 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 jurisdictional court without any justifiable cause, the jurisdictional 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 6365 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)