

637 17.11.2021  
Kole Ct. No.29  
(Allowed)

**C.R.M. 7331 of 2021**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nakashipara** P.S. Case No. **29 of 2021** dated **22/01/2021** under Sections **376/417** of the Indian Penal Code.

And

In the matter of: Sarman Ali Sk

....petitioner.

Mr. D. Roy,  
Mr. P. Majumder,

...for the petitioner.

Mr. D. Chatterjee, Ld. APP.  
Mr. S Das,

...for the State.

Learned Advocate appearing for the petitioner submits that the police complaint is a result of a relationship growing sworn. He submits that the petitioner has been falsely implicated. The petitioner is in custody for about 90 days and Police submitted charge sheet. Therefore, detention of the petitioner is not required.

Learned Advocate for the State draws our attention to the statement recorded under Section 164 of the Code of Criminal Procedure of the victim.

Considering the material in the case diary and considering the statement recorded under Section 164 of the Code of Criminal Procedure and the claim of relationship between the petitioner and the defacto complainant and considering the period of detention and considering the fact that the police submitted charge sheet, we grant bail to the petitioner.

Accordingly, the petitioner 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 CJM, Krishnagar, Nadia, Nadia subject to the condition that he

shall appear before the learned trial court regularly till completion of the trial and he shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail being C.R.M. 7331 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)