

517 29.11.2021
AD Ct. No.29
(Allowed)

C.R.M. 7628 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **22/11/2021** in connection with **Goghat** P.S. Case No. **235 of 2021** dated **29/08/2021** under Section **306** of the Indian Penal Code, 1860 corresponding with G.R. Case No.1074 of 2021.

And

In the matter of: **Molla Nasibul Haque @ Molla Nasarul Haque @ Tojo**

....petitioner.

Mr. Niladri Sekhar Ghosh

...for the petitioner.

Mr. Tanmay Kumar Ghosh

Mr. Arindam Sen

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner and the victim were in a relationship. The petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statement of the victim recorded before the doctor.

Considering the materials in the case diary, the age of the victim and considering the statement recorded by the victim before the doctor and considering the period of detention of the petitioner, 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 Additional Chief Judicial Magistrate, Arambagh subject to the condition that during bail the petitioner will report to the Investigating Officer once a month till the conclusion of the investigation and he shall appear before the learned trial court on

the date fixed 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 hereinabove, 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. 7628 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)