

60 07.02.2022
AD Ct. No.29
(Allowed)

C.R.M. (DB) 354 of 2022
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dhantala** P.S. Case No. **564 of 2021** dated **08/12/2021** under Section **376** of the Indian Penal Code, 1860.

And

In the matter of: Azim Mondal @ Khan

....petitioner.

Ms. Sananda Bhattacharyya

...for the petitioner.

Mr. Binoy Panda

Ms. Puspita Saha

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for sixty days. She submits that the medical report of the victim discloses that the victim was pregnant for five months while the victim complains that the alleged incident occurred on October 8, 2021. Such claim is belied by the medical report of the victim.

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

Considering the medical report of the victim and considering her statement recorded under Section 164 of the Code of Criminal Procedure 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, Ranaghat, Nadia subject to the condition that during bail he shall appear before the learned trial court on the date fixed till disposal 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. (DB) 354 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)