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09.02.2022
(sourav)
Court No.29
(Allowed)

CRM (DB) 370 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **03.02.2022** in connection with **Kotwali** Police Station Case No. **40** of **2022** dated **11.01.2022** under Sections **417/376/120B** of the Indian Penal Code.

And

In the matter of: **Koushik Ghosh @ Sonai.**

....petitioner.

Mr. Sumanta Das

...for the petitioner.

Mr. Debabrata Chatterjee

Ms. Mousumi Sarkar

Ms. Debjani Saha

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The police complaint is a result of a relationship going sour.

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

Considering the period of detention and considering the gravity of the offence and involvement of the petitioner and considering the fact that in the statement recorded under Section 164 of the Criminal Procedure Code the victim acknowledges a relationship between the petitioner and herself, 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 Chief Judicial Magistrate, Krishnanagar, Nadia

subject to the condition that during bail he shall appear before the learned trial court on every date of hearing and 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 **CRM (DB) 370 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

