

C.R.M. (DB) 418 of 2022

14.02.2022
Sl. 51
Court No.29
sourav
(Allowed)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **25.01.2022** in connection with **Gangarampur** P.S. Case No. **372** of **2021** dated **17.09.2021** under Section **376(D)** of the Indian Penal Code.

And

In the matter of: **Masud Hossain @Khan**

....petitioner.

Ms. Bushra Khatoon

...for the Petitioner.

Mr. Saswata Gopal Mukherji

Ms. Faria Hossain

...for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 149 days.

The police filed charge-sheet and, therefore, further detention of the petitioner is not required.

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 statement recorded under section 164 of the of the Criminal Procedure Code of the victim where she states that the petitioner is no way involved in the incident and considering the fact that the police filed 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 Chief Judicial Magistrate, Dakshin Dinajpur, Balurghat, subject to the condition that during bail he shall appear before the learned trial court on the date fixed till the 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 **CRM (DB) 418 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

