

72 22.04.2022
AD Ct. No.29
(Allowed)

C.R.M. (DB) 1059 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Nakashipara** P.S. Case No.**75 of 2022** dated **07/02/2022** under Sections **376/506** of the Indian Penal Code.

And

In the matter of: Ashik Mondal

....petitioner.

Mr. Kaustav Bagchi
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Debayan Ghosh
Ms. Priti Kar

...for the petitioner.

Mr. Saswata Gopal Mukherji, Ld. PP
Mr. Partha Pratim Das
Ms. Manasi Roy

...for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 24 days. The petitioner lodged a police complaint prior in point of time. The present police complaint is a counter-blast of the previous police complaint.

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 period of detention of the petitioner and considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the fact that there is a previous police complaint lodged at the best of the petitioner and considering the fact that the victim refused to undergo medical examination, we grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Chief Judicial Magistrate, Krishnagar, Nadia, subject to the condition that during bail the petitioner shall appear before the learned trial court on every date of hearing and that the petitioner 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) 1059 of 2022** is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)