

26.04.2022

Serial no. 60

[Dd]

(Bail **allowed**)

CRM (DB) 1073 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Chandannagar** Police Station Case No. **57** of **2022** dated **09.03.2022** under Sections **417/376/420/504/506/34** of the Indian Penal Code (corresponding to G.R. Case No. **311 of 2022**)

-And-

In the matter of : Samsad Ali

... .. Petitioner

Mr. Suman Chakraborty, Advocate

... .. For the Petitioner

Mr. Debabrata Chatterjee, learned. APP

Mr. Santanu Chatterjee, Advocates

... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 22 days. The petitioner was falsely implicated. There was a relationship between the petitioner and the victim. The victim refused medical.

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.

In her statement recorded under Section 164 of the Criminal Procedure Code, the victim acknowledges the existence of a relationship between her and the petitioner.

Considering the period of detention of the petitioner and considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code and considering the fact that victim refused medical examination, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall 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 Additional Chief Judicial Magistrate, Chandannagar** subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail of the petitioner is **allowed**.

CRM (DB) 1073 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)