

07.06.2022.
09.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1074 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Benikapukur P. S. Case No.442 of 2021 dated 10.11.2021 under Section 326B of the Indian Penal Code.

In the matter of : Md. Sarfaraz.

.... Petitioner.

Mr. Pawan Gupta,
Ms. Farnaz Nasim.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Ms. Faria Hossain,
Mr. Anand Keshri.

...for the State.

Mr. Mujibar Ali Naskar.

....for the de-facto complainant.

Heard the learned Counsels appearing on behalf of the parties.

Evidence of the victim has been recorded.

Learned Advocate appearing for the State opposes the prayer for bail and produces the Case Diary.

We have considered the materials on record and keeping in mind the facts and circumstances of the case and as the victim has already been examined, we are inclined in granting bail to the petitioner.

Accordingly, the petitioner shall 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, Sealdah subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses 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 his bail in accordance with law without further reference to this Court.

The application, being **C.R.M. (DB) 1074 of 2022**, is disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)