

13.06.2022
cm/ct 28
sl no. 91

C.R.M. (DB) No.1661 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Dadpur P.S Case No. 31 of 2022** dated **11/02/2022** under Sections **325/376** of the Indian Penal Code.

And

Allowed

In Re : Mir Mohammad Firojuddin

..... petitioner

Md. Sabir Ahmed

Mr. Arpan Saha

..... for the petitioner

Mr. Binay Panda

Mr. Subham Bhakat

..... for the State

Learned advocate appearing for the petitioner submits that there were monetary disputes between the parties and he has been falsely implicated in the instant case. He is in custody for 120 days.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Allegation of forcible rape requires to be assessed in the light of the submission relating to monetary disputes between the parties. Keeping in mind the aforesaid facts, period of detention suffered by the petitioner and as investigation is complete, we are inclined to 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 CJM, Hooghly on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM (DB) No. 1661 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)