

29.06.2022
cm/ct 28
sl. no. 40

C.R.M. (DB) 2019 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ratua P.S. Case No. 68 of 2020 dated 08.02.2020 under Section 448/341/323/376/506/34 of the Indian Penal Code.

Allowed

In Re : Biru Mondal @ Biru Mandal

..... petitioner

Mr. Kaustav Bagchi
Mr. Debayan Ghosh

..... for the petitioner

Mr. Tanmay Kr. Ghosh, Ld. SGA
Mr. Arindam Sen

..... for the State

Petitioner is in custody for 53 days. It is submitted that he has been falsely implicated in the instant case. Victim had refused medical examination.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record including statement of the victim girl. Victim had refused medical examination. In view of the facts and circumstances of the case and the period of detention suffered by the petitioner, we are inclined to grant bail to him.

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 ACJM, Malda on condition that he 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. 2019 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)