

30.06.2022.
18.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 2070 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nabadwip P. S. Case No. 152 of 2022 dated 20.04.2022 under Sections 448/376/511 of the Indian Penal Code.

In the matter of : Akbat Sk.

.... Petitioner.

Mrs. Karabi Roy.

...for the Petitioner.

Mr. S. S. Imam,
Mr. S. Kundu.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for about 70 days. It is submitted on behalf of the petitioner he has been falsely implicated due to pre-existing enmity between the parties and investigation is complete.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Allegation of attempt to rape requires to be assessed in the light of the submission made on behalf of the petitioner relating to pre-existing enmity between the parties.

Keeping in mind the aforesaid fact and as investigation is complete, we are inclined to grant 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 Judicial Magistrate, Nabadwip, Nadia 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.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)