

25.08.2022
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allowed

CRM(DB) No. 2865 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala Police Station Case No. 152 of 2022 dated 19.03.2022 under Sections 498A/406/307/506/34 of the Indian Penal Code.

And

In Re : Rafik Dafader petitioner

Ms. Sananda Bhattacharyya
.....for the petitioner

Mr. Joydeep Roy
Ms. Sujata Das
..... for the State

Learned Counsel for the petitioner submits he is in custody for 40 days. It is also submitted that there is delay in lodging first information report.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record. Allegation of attempt to murder is not supported by medical documents. There is delay in lodging first information report. In the light of the aforesaid fact and the period of detention suffered by the petitioner, we are inclined in granting bail to him.

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, Ranaghat, Nadia, on condition that he shall not intimidate the witnesses or tamper with evidence in any

manner whatsoever and he shall appear before the trial court on every date of hearing.

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 without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)