

06.09.2022.
20.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3011 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Namkhana P. S. Case No.202 of 2022 dated 18.07.2022 under Sections 448/376/511/506 of the Indian Penal Code.

In the matter of : Nandadulal Das.

.... Petitioner.

Mr. Kallol Kr. Basu,
Mr. Anindya Sundar Das,
Mr. Debapriya Samanta,
Ms. Avipsa Sarkar,
Md. Jurrat Ul Firdous.

...for the Petitioner.

Mr. Prasuk Kr. Dutta, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

Petitioner is in custody for 45 days. It is submitted he has been falsely implicated due to family disputes. He prays for bail.

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 submission there is possibility of false implication owing to family disputes. Under such circumstances and in view of the period of detention suffered by the petitioner, 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 Additional Chief Judicial Magistrate, Kakdwip, South 24-Paraganas subject to condition that he 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.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)