

19.09.2022.
18.
as
(Allowed)

C.R.M. (DB) 3083 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hemtabad P. S. Case No.163 of 2022 dated 16.05.2022 under Sections 448/376/506 of the Indian Penal Code.

In the matter of : Maksed Ali.

.... Petitioner.

Mrs. Minoti Gomes.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.

...for the State.

Report enclosing further statement of the victim recorded under Section 164 of the Code of Criminal Procedure is placed on record.

From the statement it appears that the victim has married out of her own will with the petitioner.

In view of the aforesaid development and the period of detention suffered by the petitioner i.e. 96 days, 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 Chief Judicial Magistrate, Uttar Dinajpur at Raiganj 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.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)