

28.09.2022
tkm/ct 28
sl no. 52

C.R.M. (DB) 3317 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Domkal P.S case no. 37 of 2022 dated 20.1.2022 under sections 448/376D/34 of the IPC
and

Allowed

In Re : Sabir Sk & Anr. petitioners

Mr. Arnab Chatterjee

..... for the petitioner

Mr. Avijit Ganguly

Mr. Avik Ghatak

..... for the State

Petitioner is in custody for 70 days. It is submitted there is delay in lodging FIR. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record including the statement of the victim lady. There is delay in lodging FIR. Allegation of uploading of objectionable pictures on a social media site is not supported by collection of electronic evidence.

In view of the aforesaid facts and as investigation is complete, we are inclined to grant bail to the petitioner, however, subject to conditions.

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 CJM, Murshidabad at Berhampur on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not enter the jurisdiction of Domkal P.S until

further orders except for purpose of investigation and attending court proceeding and shall provide address where she shall presently reside to the investigating officer as well as to the court below and shall report to the officer in charge of the P.S concerned within whose jurisdiction he shall presently reside once in a week until further orders.

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) 3317 of 2022 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)