

11.10.2022.
19. SL
Ct.No.28.
AGM/AN
(Allowed)

C.R.M. (D.B) 3526 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sessions Case No.410 (8) of 2022 arising out of Nakashipara P. S. Case No.483 of 2022 dated 25.06.2022 under Sections 376 of the Indian Penal Code.

In the matter of : Atiur Sk @ Santa @ Santu Sk @ Atiur Rahaman.

.... Petitioner.

Ms. Karabi Roy

...for the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Daw,

...for the State.

Petitioner is in custody for 107 days. He submits that there is delay in lodging the First Information Report. He prays for bail.

Learned counsel for the State opposes the prayer for bail.

We have considered the truthfulness of the allegation as the aforesaid requested to arrest in the factual matrix of the case including the submission regarding inordinate delay in lodging the First Information Report. Investigation is complete.

Under such circumstances, we are of the opinion that further detention is not necessary and the petitioner shall be granted bail.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like

amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Krishnagar, Nadia 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 her bail in accordance with law without further reference to this Court.

This application for bail is, thus, disposed of.

(Apurba Sinha Ray,J.)

(Joymalya Bagchi, J.)