

23.11.2022
SI. No.30
akd
[ALLOWED]

C. R. M. (DB) 3994 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.11.2022 in connection with Kaliganj Police Station Case No. 5 of 2022 dated 03.01.2022 under Sections 417/420/376/323/406/34 of the Indian Penal Code.

And

In Re: ***Kamrul Mondal @ Kamarujjaman @ Kamu***
... .. Petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder
... .. for the petitioner

Mr. S. S. Imam
Mr. R. Jana
... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for about 314 days.

Learned advocate appearing for the State opposes the prayer for bail and submits charge has been framed.

We have considered the materials on record. Victim was a major lady. Allegation that petitioner expressed desire to sell off the victim is not supported by any other corroborative evidence. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Kamrul Mondal @ Kamarujjaman @ Kamu***, 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 Chief Judicial Magistrate, Nadia at Krishnanagar subject to condition that the said petitioner 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 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 for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)