

02.12.2022
SI. No.9
akd
[ALLOWED]

C. R. M. (DB) 4037 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.11.2022 in connection with Gangarampur Police Station Case No. 20 of 2022 dated 05.01.2022 under Section 305 of the Indian Penal Code. (G.R. Case No.38 of 2022)

And

In Re: ***Badle Rahaman @ Badle Rahaman Mia***

... .. Petitioner

Md. Sabir Ahmed
Mr. Jisan Iqbal Hossain
Ms. Chandrima Debanth

... .. for the petitioner

Mr. Binay Panda
Mr. Subham Bhakat

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about a month. It is further submitted there is little possibility of the trial concluding in the near future. Investigation is complete.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner had insulted a young girl in a marriage ceremony. As a result, she committed suicide. His prayer for pre-arrest bail was rejected.

We have considered the materials on record. Though there are statements that the petitioner had insulted the minor in a marriage ceremony, she did not leave behind any suicide note. There is no direct instigation to the minor that she should commit suicide. After rejection of pre-arrest bail, petitioner surrendered before the jurisdictional court. Investigation is complete and the case has been committed to the Court of Sessions. There is little possibility of the trial concluding in the near future. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Badle Rahaman @ Badle Rahaman Mia**, 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 Additional Chief Judicial Magistrate, Buniadpur, Dakshin Dinajpur 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.)