

25.11.2022
SI. No.41
akd
[ALLOWED]

C. R. M. (DB) 4147 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.11.2022 in connection with Chanchal Police Station Case No.780 of 2022 dated 17.07.2022 under Sections 341/376/506 of the Indian Penal Code. (G.R. Case No.1843 of 2022)

And

In Re: ***Ramjan Ali @ Situ***

... .. Petitioner

Ms. Minoti Gomes

... .. for the petitioner

Mr. Binay Panda
Ms. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 62 days. It is further submitted there is delay in lodging FIR.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Credibility of the prosecution case requires to be assessed in the light of the submission there is inordinate delay in lodging FIR. 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 ***Ramjan Ali @ Situ***, 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, Chanchal, Malda 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.)