

06.12.2022
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allowed

CRM(DB) No. 4307 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnagar Women Police Station Case No. 42 of 2021 dated 29.07.2021 under Section 376 of the Indian Penal Code.

And

In Re : Saheb Ghosh petitioner

Mr. Prabir Majumder

Ms. S. Chakraborty

.....for the petitioner

Mr. Prasun Kumar Datta, learned APP

Mr. Santanu Deb Roy

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 478 days. It is also submitted that the victim did not implicate the petitioner. He renews his prayer for bail.

Learned Counsel appearing for the State produces the case diary.

We have gone through the evidence of the victim. Keeping in mind the nature of evidence, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner viz. Saheb Ghosh shall 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 Chief Judicial Magistrate, Nadia, subject to condition that petitioner shall appear before the trial court on every date of hearing until further orders and shall

not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)