

12.12.2022
SI. No.45
akd
[ALLOWED]

C. R. M. (DB) 4358 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.12.2022 in connection with Bamongola Police Station Case No. 242 of 2022 dated 08.10.2022 under Sections 448/354/376/109/34 of the Indian Penal Code. (G.R. Case No.6278 of 2022)

And

In Re: ***Sanjib Mandal***

... .. Petitioner

Mr. Kazi Mokhlasur Rahman

... .. for the petitioner

Mr. Tanmoy Ghosh

Mr. Arindam Sen

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 53 days. It is further submitted petitioner has been falsely implicated in the instant case.

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

We have considered the materials on record. Victim alleged petitioner and co-accused had taken obscene pictures and blackmailed her. Investigation has not resulted in recovery of obscene pictures as yet. 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 ***Sanjib Mandal***, 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, 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.)