

06.01.2023.
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as
(Allowed)

C.R.M. (DB) 36 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur P. S. Case No.1012 of 2021 dated 01.12.2021 under Sections 376/506 of the Indian Penal Code.

In the matter of : Bimal Biswas.

.... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Pradipta Ganguli,
Mr. Santanu Deb Roy.

...for the State.

Petitioner is in custody for 400 days. He renews his prayer for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Vulnerable witness i.e. the victim lady has already been examined.

Balancing the nature of accusation with the period of detention and as vulnerable witness has already been examined, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Bimal Biswas 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia subject to condition that he 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 the petitioner fails to appear before the Trial Court without any 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, thus, disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)