

11.01.2023  
tkm/ct 28  
sl no. 44

**C.R.M. (DB) 87 of 2023**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Dhubulia P.S case no. 439 of 2022 dated 12.11.2022 under sections 376/511/323/506/34 of the IPC  
and

**Allowed**

In Re : Selim Dafadar

..... petitioner

Mr. S Majumder

..... for the petitioner

Mr. S G Mukherjee, Id PP

Mr. Aniket Mitra

..... for the State

Petitioner is in custody for 45 days. It is submitted case and counter case were registered over the self-same incident. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. There are case and counter case registered between the parties. Considering the nature of accusation in the light of the aforesaid circumstance, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 CJM, Nadia at Krishnanagar on condition that the petitioner shall appear before the trial court on every date of hearing 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 being CRM (DB) 87 of 2023 is disposed of.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**