

02.02.2023
tkm/ct 28
sl no. 48

C.R.M. (DB) 407 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with English Bazar (Women) P.S case no.126 of 2022 dated 17.5.2022 under sections 376/379/363/365 IPC
and

Allowed

In Re : Nejamuddin @ Nejamuddin Sk @ Nijamuddin Sk.

..... petitioner

Mr. Sourav Chatterjee

Mr. A Tiwari

..... for the petitioner

Mr. R D Nandy

Ms. Sonali Das

..... for the State

Petitioner is in custody for 255 days. He submits that the victim has not supported the prosecution case. He renews his prayer for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Victim lady has not supported the prosecution case.

Under such circumstances, 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, Malda 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) 407 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)