

09.06.2023
tkm/ct 28
sl no. 48

C.R.M. (DB) 2218 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Murshidabad P.S case no. 21 of 2023 dated 9.1.2023 under section 364-A of the IPC
and

Allowed

In Re : Sanjib Ghosh ... petitioner

Mr. R Sengupta
Mr. T Ghoshal

..... for the petitioner

Mr. Sudip Ghosh
Mr. Koushik Kundu

..... for the State

Petitioner submits that the instant case is a counter-blast to an earlier criminal case alleging rape lodged by the wife of the petitioner. Possibility of false implication due to prior enmity cannot be ruled out. Co-accused is on bail.

Under such circumstances, we are inclined to extend the same privilege 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 ACJM, Lalbagh, Murshidabd 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) 2218 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)