

CRM (DB) 2320 of 2023

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bhagwangola Police Station** Case No. **210 of 2023** dated **16.05.2023** under Sections **417/376/354(c)/506** of the Indian Penal Code.

- A n d -

In the matter of : Raihan Sk

.... Petitioner.

Mr. Ahsan Alamgir,
Ms. Soma Mal,
Mr. J. Modak,

... For the Petitioner.

Mr. Binoy Panda,
Mr. Subham Bhakat,

... For the State.

The allegation is under Sections 376/417/354(c)/506 of the Indian Penal Code.

The petitioner says that the defacto complainant/victim is a lady aged about 36 years. She is married and has children. She consented to the physical relationship between her and the petitioner. The petitioner has been falsely framed.

We have perused the material in the case diary. On an overall assessment of the facts of the case and the material on record, although charge-sheet is yet to be filed, we are of the view that the petitioner be enlarged on bail subject to the conditions mentioned hereinbelow.

Accordingly, we direct that the petitioner, namely, **Raihan Sk.** 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, Lalbagh, Murshidabad and on further conditions that he will not commit any cognizable offence and shall not leave the jurisdiction of concerned police station and shall report to the Investigating Officer of the concerned police station once every fortnight until further orders. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)