

1107.2023
D/L 61
Ct. No.28
allowed
(SKB)

CRM (DB) 2707 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure arising out of Hanskhali Police Station Case No. 295 of 2023 dated 05.04.2023 under Sections 406/365/370/376/323/506/34 of the Indian Penal Code

And

In the matter of : Srikanta Biswas

... Petitioner

Ms. Minoti Gomes,
Ms. Sananda Bhattacharyya

... for the petitioner

Mr. Binay Panda,
Mr. Subham Bhakat

... for the State

Petitioner is in custody for 85 days. He submits that a prior criminal case was lodged by his father against the victim and her families. He is a neighbour. In retaliation, present case has been lodged. He prays for bail.

Learned advocate for the State opposes the bail prayer. He submits victim was abducted on the petitioner's promise to marry her and the petitioner tried to traffick her.

We have considered the materials on record. It is contended petitioner is a neighbour. An earlier criminal case was registered by the father of the petitioner against the victim and his family members. The credibility of allegations of trafficking requires to be assessed in the light of the aforesaid circumstances during trial.

Keeping in mind the aforesaid facts and period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, petitioner namely Srikanta Biswas be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Ranaghat, Nadia subject to condition that the said petitioner 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 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) 2707 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)