

28.07.2023
33
sdas
allowed

CRM(DB) No. 2993 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harirampur Police Station Case No. 251 of 2022 dated 28.09.2022 under Sections 363/364A/379 of the Indian Penal Code.

And

In Re : Sanaulla Sk. alias Sanaul Sekh petitioner

Mr. Sayan De
Mr. Sayan Kanjilal
Mr. Kaustav Shome
Ms. Esha Acharya

....for the petitioner

Mr. Madhusudan Sur, learned APP
Mr. Manoranjan Mahata
..... for the State

Learned Counsel for the petitioner submits victim had taken money on the false promise of giving employment. As a result he was confronted. Subsequently false case was started. Petitioner is in custody for 61 days. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits motor cycle and mobile phone of the victim were recovered from the petitioner.

We have considered the materials on record. Allegation of abduction for ransom requires to be assessed in the light of the defence plea that the victim had taken money on the false promise of giving employment during trial. Victim has already been recovered. Further detention for progress of trial is not necessary. Accordingly, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner 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 Chief Judicial Magistrate, Dakshin Dinajpur, subject to conditions that 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 appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)