

31.08.2023.
16.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 3232 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Karimpur P.S. Case No.307 of 2022 dated 15.12.2022 under Sections 448/376/420 of the Indian Penal Code read with Section 67(A) of the Information Technology Act.

In the matter of : Abbas Mondal.

.... Petitioner.

Mr. Debarshi Brahma.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty.

...for the State.

1. Petitioner submits he is in custody for 220 days. He has been falsely implicated. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Evidence of the victim is exonerative in nature.
4. In view of the aforesaid fact and the period of detention suffered by the petitioner i.e. 220 days, we are inclined to grant bail to the petitioner.
5. Accordingly, the petitioner viz., Abbas Mondal 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, Krishnanagar, Nadia subject to condition that he 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.

6. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)