

20.12.2023.
106.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4625 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kushmandi P.S. Case No.129 of 2023 dated 30.05.2023 under Sections 341/376/506 of the Indian Penal Code and charge sheet submitted under Sections 341/376/506 of the Indian Penal Code.

In the matter of : **Anarul Islam.**

.... Petitioner.

Mr. K. Choudhury.

...for the Petitioner.

Mr. A. Ganguly,
Ms. A. Roy.

...for the State.

1. Petitioner contends there is delay in lodging the First Information Report. He prays for bail.
2. Learned Advocate for State produces the Case Diary.
2. We have considered the materials on record. Allegation of rape requires to be assessed in light of the aforesaid submission made on behalf of the petitioner. Investigation is complete. There is no chance of abscondence.
3. Hence, we are inclined to grant bail to the petitioner.
4. Accordingly, 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 Additional Chief Judicial Magistrate, Gangarampur at Buniadpur 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.

5. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)