

22.12.2023.
28.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4745 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Rajarhat P.S. Case No.222 of 2023 dated 28.07.2023 under Section 363 of the Indian Penal Code and charge sheet submitted under Sections 363/366 of the Indian Penal Code.

In the matter of : **Mashadul Khan @ Tamim.**

.... Petitioner.

Mr. Anghsuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Ms. Faria Hossain,
Ms. Debjani Dasgupta.

...for the State.

Mr. Debapriya Majumdar.

...for the de-facto complainant.

1. Petitioner contends there was a romantic relationship between two young persons. Petitioner is in custody for 145 days. He prays for bail.
2. Learned Advocate for State oppose the bail prayer.
3. Learned Advocate for the victim does not oppose the bail prayer.
4. We have considered the materials on record. Parties contend there was a romantic relationship between two young persons.
5. Keeping in mind the aforesaid fact and the period of detention suffered by him, we are inclined to grant bail to the petitioner.
6. Accordingly, the petitioner viz., **Mashadul Khan @ Tamim** 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, Barasat, North 24-Paraganas 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.

7. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)