

21.03.2024.
25.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 863 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola P.S. Case No.374 of 2023 dated 01.09.2023 under Sections 342/376/379/34 of the Indian Penal Code.

In the matter of : **Alhad Hossain @ Titu.**

.... Petitioner.

Mr. G. N. Imrohi.

...for the Petitioner.

Mr. Bitasok Banerjee.

...for the State.

1. Petitioner is in custody for 45 days. He submits principal accused is on bail. There is delay in lodging First Information Report. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer.

3. We have considered the materials on record. Petitioner is a friend of the principal accused. It is alleged he had offered a drink to the victim who fell unconscious after consuming it. Thereafter, victim was raped by the principal accused. Principal accused i.e. Allarekha is on bail.

4. Keeping in mind the aforesaid fact and the extent of complicity of the petitioner in the crime, we are inclined to grant bail to him.

5. Accordingly, the petitioner viz., **Alhad Hossain @ Titu** 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, Lalbagh, Murshidabad 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.)