

28.03.2024
Sl. No.13
akd
[ALLOWED]

C. R. M. (DB) 896 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.03.2024 in connection with Hariharpara Police Station Case No.514 of 2022 dated 04.11.2022 under Sections 448/376/316 of the Indian Penal Code and subsequently charge sheet submitted under Sections 448/376/316/506 of the Indian Penal Code.

And

In Re: ***Kamrujjaman Sk. @ Kamrujamman @ Kamraj Sk.***
... .. Petitioner

Ms. Shabana Hasin
Ms. Samima Akter Banu
Ms. Neha Roy
... .. for the petitioner

Mr. Jaydeep Biswas
... .. for the State

1. Supplementary affidavit enclosing evidence of the victim and other witnesses is placed on record.
2. Inspite of notice, nobody appears on behalf of the victim.
3. We have considered the materials on record. Victim has not supported the prosecution case. Petitioner is in custody for more than a year. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Kamrujjaman Sk. @ Kamrujamman @ Kamraj Sk.***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Murshidabad at Berhampore subject to condition that the said petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
6. The application for bail, thus, stands allowed.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)