

24.04.2024
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allowed

CRM (DB) No. 1274 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No. 183 of 2024 dated 26.02.2024 under Sections 447/323/325/326/354B/307/379/427/506/34 of the Indian Penal Code.

In Re : Bapi Sk. And
..... petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder
....for the petitioner

Ms. Amita Gaur
Mr. Saurat Nandy
.... for the State

1. Learned Counsel for the petitioner submits one Ismail Sk. had kidnapped a minor female member of the petitioner's family. There was a commotion over the issue. Petitioner had been falsely implicated. Accordingly, he prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits victim suffered fracture injuries.

3. We have considered the materials on record. It is submitted a minor female member of the petitioner's family had been kidnapped by one Ismail Sk., a family member of the de facto complainant. Possibility of false implication on such score cannot be ruled out. Petitioner is in custody for 56 days. Further detention of the petitioner is not necessary. Under such circumstances, we are inclined to grant bail to the petitioner.

4. Accordingly, we direct that 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 Chief Judicial Magistrate, Nadia at Krishnanagar subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

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

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)