

02.05.2024
Sl. No.34
akd
[ALLOWED]

C. R. M. (DB) 1366 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.04.2024 in connection with Kaliganj Police Station Case No.75 of 2024 dated 17.01.2024 under Sections 376/417 of the Indian Penal Code. (G.R. Case No.352 of 2024)

And

In Re: ***Hasemaddin Mallik @ Hasimuddin***

... .. Petitioner

Mr. Atis Kumar Biswas
Ms. Piyu Mondal

... .. for the petitioner

Mr. Pravash Bhattacharjee
Md. Aqib Badr

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Victim was an adult lady at the time of cohabitation. She was aware of the consequences of her act. Petitioner is in custody for about 76 days. Charge sheet has been filed. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
3. Therefore, the accused/petitioner, namely ***Hasemaddin Mallik @ Hasimuddin***, 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 Additional Chief Judicial Magistrate, Krishnagar, Nadia 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.

4. 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.
5. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)