

02.05.2024
tkm/ct 28
sl no. 52

C.R.M. (DB) 1386 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Ranaghat P.S case no. 830 of 2023 dated 23.12.2023 under sections 376 IPC
and

Allowed

In Re : Bapi Halдар

..... petitioner

Ms. Dona Sanyal

..... for the petitioner

Mr. Tanmay Kr. Ghosh

Mr. Karan Bapuli

..... for the State

1. Petitioner is in custody for 55 days. He submits he has been falsely implicated. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the statement of the victim. She stated petitioner used to make illicit proposal to her. He had also assaulted her. On the fateful day he committed rape. Earlier, no complaint was lodged with regard to misconduct of the petitioner. No bodily injury is found on the victim.
4. In view of the aforesaid circumstances we are of the opinion possibility of false implication of the petitioner cannot be ruled out. Hence, petitioner shall be released on bail however subject to conditions.
5. Accordingly, the petitioner 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 ACJM Ranaghat Nadia on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on

bail shall not enter the jurisdiction of Ranaghat P.S except for the purpose of attending court proceedings and shall provide the address where he shall presently reside to the investigating agency as well as the trial court and shall meet the officer in charge of the police station concerned within whose jurisdiction he shall presently reside once in a week until further orders..

6. In the event he fails to do so or resorts to dilatory tactics and delay the trial, trial court shall be at liberty to cancel his bail without reference to this court.

7. The application being CRM (DB) 1386 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)