

10.05.2024.
27.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 1486 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gangnapur P.S. Case No.61 of 2024 dated 22.03.2024 under Sections 448/376/511/506 of the Indian Penal Code.

In the matter of : **Sandip Chanda @ Sandip Chandra.**

.... Petitioner.

Ms. Minoti Gomes,
Mr. Samrat Paul.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Ms. Sona Naaz.

...for the State.

Ms. Sneha Srivastava.

...for the de-facto complainant.

1. Petitioner submits there was prior enmity between the parties. Allegation of attempt to rape is out and out false. He has been falsely implicated. He is in custody for 48 days. Accordingly, he prays for bail.

2. Learned Advocate for the State produces the Case Diary.

3. Learned Advocate for the de-facto complainant submits there was land dispute between the parties.

4. We have considered the materials on record including the statement of the victim before Magistrate. She had refused medical examination. Possibility of exaggeration and false implication due to prior enmity cannot be ruled out.

5. Under such circumstances, we are inclined to enlarge the petitioner on bail.

6. Accordingly, the petitioner viz., **Sandip Chanda @ Sandip Chandra** 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, Ranaghat, Nadia 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.

7. 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.

8. This application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)