

01.08.2024

Item No.1

Ct.No.34

b.das

Allowed

C.R.M. (SB) 74 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Gangnapur Police Station Case No. 162 of 2021 dated 15.08.2021 under Section 8 of the Protection of Children from Sexual Offences Act.

And

In Re : **Chaitanya Das**

... Petitioner.

Ms. Minoti Gomes

Mr. Prabir Majumder

Ms. Sangeeta Chakraborty

... for the Petitioner.

Ms. Sreyashee Biswas

Ms. Sonali Bhar

... For the State.

Learned counsel for the petitioner submits that the petitioner is in custody since 5th February, 2024 upon being falsely implicated as a counterblast of an earlier complaint lodged by the wife of the petitioner. Further detention of the petitioner is not required.

The petitioner prays for bail.

State produces the Case Diary and opposes the prayer.

It appears that evidence of the victim girl has been recorded. Record reveals that an earlier complaint was filed by the wife of the petitioner against the brother in law of the petitioner. Whether the present complaint has been lodged as a result of a family dispute or is a counterblast of the

earlier complaint shall be dealt with by the learned Trial Court at the appropriate stage.

Considering the period of detention of the petitioner, prayer for bail is allowed subject to stringent conditions.

Accordingly, the petitioner shall be released on bail upon furnishing 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, Ranaghat, Nadia subject to condition that the petitioner shall remain outside the jurisdiction of Gangnapur P.S. and shall furnish his address where he shall presently reside to the learned Trial Court as well as the Officer in Charge, Gagnapur P.S. and the Officer in Charge of the concerned P.S. where he shall reside presently. He shall enter the jurisdiction of Gangnapur P.S. only for the purpose of appearing 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.

In the event the petitioner fails to comply with any of the conditions 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.

The application for bail, being CRM (SB) 74 of 2024, is disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)