

21.06.2024
Item no. 33.
Court No.28.
AB
(Allowed)

CRM (DB) 1844 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Belda Police Station Case No.16 of 2024 Dated 19.1.2024 under Sections 498A/323/307 354B/376/511/506/34 of the Indian Penal Code

And

In the matter of : Susanta Das Adhikary

.....Petitioner.

Sk. Humayan Rezafor the Petitioner.

Mr. Arijit Ganguly,
Mr. Asraf Mondalfor the State.

The petitioner is the father-in-law of the victim girl. The allegation is that the petitioner attempted to rape his daughter in-law. Other allegations of causing bodily harm and attempted murder are also there.

The petitioner says that he is innocent. He has been framed. He could not even imagine doing such things to his daughter-in-law. He is a senior citizen. He is in custody for more than 100 days. Investigation is complete. He should be enlarged on bail.

Learned Advocate for the State, while opposing the prayer for bail, draws our attention to the statement of the victim girl recorded under Section 164 Cr.P.C. We have also seen the medical report.

Having considered the material on record and the overall facts and circumstances of the case and keeping in mind

that charge sheet has been filed upon completion of investigation, we are of the view that further custodial detention of the petitioner may not be necessary.

Accordingly, we direct that the petitioner, namely **Susanta Das Adhikary** 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, Paschim Medinipur, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

The 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 and/or commit any cognizable offence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

