

CRM (DB) 1889 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dhubulia Police Station** Case No. **63 of 2024** dated **08.02.2024** under Sections **498A/325/326/307/376/34** of the Indian Penal Code.

- A n d -

In the matter of : Tipu SK

.... Petitioner.

Mr. P. Mukherjee,

... For the Petitioner.

Mr. Anand Keshri

... For the State.

Affidavit of service filed in court today be kept with the records. In spite of service none appears for the victim lady.

The petitioner is the elder brother-in-law of the victim lady. He says that he has been falsely implicated. He has no connection with the alleged incident. Investigation is complete. Charge sheet has been filed. His further detention is completely unnecessary.

From the case diary which has been produced by learned Advocate for the State, we find that there is nothing significant in the medical report which would support the prosecution case. Further, we are told that another police station case has been started on the basis of another complaint lodged by the victim lady regarding the same alleged incident being Kotwali Police Station Case No. 136 of 2024 dated 12.04.2024.

On an overall assessment of the material on record and the possible extent of complicity of the petitioner in the alleged offence as also considering that the petitioner has been in custody for 110 days and investigation is complete, we allow the petitioner's prayer for bail.

Accordingly, we direct that the petitioner, **Tipu SK**, 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, Krishnagar, Nadia 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 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.

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

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)