

06.08.2024

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Allowed

C.R.M. (SB) 96 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973/ Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Krishnaganj Police Station Case No. 109 of 2024 dated 24.03.2024 under Section 8 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Tapas Biswas**

... Petitioner.

Mr. Prabir Majumder

... For the Petitioner.

Mr. Arijit Ganguly

Mr. Mainak Gupta

... For the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

None appears for the private opposite party despite service.

Heard learned counsels for the petitioner and the State.

Perused the case diary.

The petitioner seeks bail on the ground that he is in custody for 101 days and charge-sheet has been submitted.

Learned APP produces the case diary and opposes the prayer for bail.

It appears that the petitioner is in custody for about 101 days. Investigation has culminated in submission of charge-sheet. Further detention of the petitioner is not required for the purpose of investigation. The petitioner may be granted bail subject to stringent conditions.

The petitioner namely Tapas Biswas 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 Chief Judicial Magistrate, Nadia subject to condition that he shall remain outside the jurisdiction of Krishnaganj Police Station until further orders and shall furnish the present address where he shall reside to the investigating officer, concerned police station under which he shall reside and the learned trial Court. The petitioner shall enter the jurisdiction of Krishnaganj police station only for the purpose of appearing before the learned trial Court on every date of hearing. He shall not tamper with the evidence and intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to comply with any of conditions stated above, the learned 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) 96 of 2024, is, thus, 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.)