

30.7.2024
Ct. No. 6
SL No.67
SB /
Tanmoy

C.R.M. (DB) 2278 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Krinahar** P.S. Case No. 59 of 2024 dated **04.5.2024** under Sections 498A/323/302/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

And

In the matter of: Rakesh Sekh@ Raksh Sekh@Rakesh Sk.

Mr. Sujoy Sarkar ... for the petitioner.

Ms. Faria Hussain
Ms. Sana Naazfor the State

1. Leave is granted to correct the cause title.
2. Heard learned advocates for the parties.
3. Petitioner is a neighbor of the husband of the victim lady. He contends he has been falsely implicated. Co-accused husband as well as in-laws have been granted anticipatory bail. He is in custody for 87 days. He prays for bail.
4. Learned counsel for the State opposes the prayer for bail. She contends the petitioner had demanded money from the father of the victim lady and when the demand remained unfulfilled he abused him and tortured the victim.
5. We have considered the materials on record. Statements of the witnesses show in-laws as well as petitioner had demanded money. Some of the in-laws including the husband have been granted bail. Keeping in mind the aforesaid facts and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.
6. Accordingly, we direct the petitioner 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 Sessions Judge, Bolpur, Birbhum subject to condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

7. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.

8. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)