

05.08.2024
Sl. No.54
akd
[ALLOWED]

C. R. M. (DB) 2311 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 18.07.2024 in connection with Mogra Police Station Case No.123 of 2024 dated 26.03.2024 under Sections 417/419/420/406/376/506/34 of the Indian Penal Code. (G.R. Case No.965 of 2024)

And

In Re: ***Aamir Sohail Ansari @ Amir Sohel @ Aamir Sohel Aanswari***
... .. Petitioner

Md. Bani Israil
... .. for the petitioner

Mrs. Rituparna De
Mr. Arup Sarkar
... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about 61 days. It is further submitted there was a romantic relationship between the parties. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. Inspite of notice, nobody appears for the victim.
4. We have considered the materials on record. Statements of witnesses show there was a romantic relationship between two young persons. Keeping in mind the aforesaid fact and the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.
5. Therefore, the accused/petitioner, namely ***Aamir Sohail Ansari @ Amir Sohel @ Aamir Sohel Aanswari***, be released on bail upon furnishing a 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, Hooghly at Chinsurah subject to condition that the said petitioner shall appear

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.

6. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
7. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)