

01.08.2024

Item No.3

Ct.No.34

b.das

Allowed

C.R.M. (SB) 102 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS, 2023 filed in connection with Ghatal Police Station Case No.441 of 2023 dated 29.12.2023 under Sections 341/323/506/354(B) of the Indian Penal Code and Section 8/12 of the Protection of Children from Sexual Offences Act.

And

In Re : **Achinta Karak**

... Petitioner.

Ms. Sonali Das

... for the Petitioner.

Ms. Baisali Basu

Mr. Amanul Islam

... For the State.

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

None appears for the private opposite party despite service.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated as a result of refusal to keep in touch with the victim girl after a long standing relationship with her. The petitioner is in custody since 19th April, 2024. Investigation is complete. His further detention is not required.

The petitioner prays for bail.

State produces the Case Diary and opposes the prayer.

It appears that the petitioner is in custody for about 102 days. Investigation has culminated in submission of charge sheet.

Considering the material on record and period of detention of the petitioner, prayer for bail is allowed subject to stringent conditions.

Accordingly, the petitioner 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 Additional Chief Judicial Magistrate, Ghatal, Paschim Medinipur subject to condition that the petitioner shall remain outside the jurisdiction of Ghatal P.S. and shall furnish his address where he shall presently reside to the learned Trial Court as well as the Officer in Charge, Ghatal P.S. and the Officer in Charge of the concerned P.S. where he shall reside presently. He shall enter the jurisdiction of Ghatal P.S. only for the purpose of appearing 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.

In the event the petitioner fails to comply with any of the conditions without any justifiable cause, the 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) 102 of 2024, is 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.)