

49.
22-08-2024
(ct. no.28)
debajyoti
(allowed)

CRM (DB) 2467 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chinsurah Women Police Station Case No.68 of 2024 dated 05-05-2024 under Sections 419/417/376/420/406/506/34 of the Indian Penal Code.

- A n d -

In the matter of : Israfil Sardar @ Raju Sardar

.... Petitioner.

Mr. Imtiaz Ahmed,
Mrs. Ghazala Firdaus,
Mr. Mofakkerul Islam,
Mr. Sk. Saidullah,
Mr. Debopam Roy,
Mr. Mithun Mondal,
Mr. Md. Arsalan

... For the Petitioner.

Mr. Bitasok Banerjee,
Ms. Afreen Begum

... For the State.

Mr. Anindya Halder,
Mr. Zubair Ahmed

... For defacto complainant.

Dictated by Arijit Banerjee, J.

The petitioner says that he has been falsely implicated. He and the victim lady met through social media. Then they had an affair. When the relationship turned sour, this false complaint was lodged.

Learned advocates for the State and the defacto complainant/victim have drawn our attention to the material in the Case Diary including the statement of the victim lady, about 19 years old at the time of the incident, recorded under Section 164 of the Code of Criminal Procedure. From the statement, we find that indeed there was an affair between the petitioner and the victim lady and the victim lady states that she continued with the relationship with the petitioner.

On an overall assessment of the material on record and the possible degree of complicity of the petitioner in the alleged crime and considering that charge sheet has been submitted upon completion of investigation and the petitioner is in custody for 110 days, we deem it appropriate to enlarge the petitioner on bail.

Accordingly, we direct that the petitioner, namely, **Israfil Sardar @ Raju Sardar**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Hooghly. The petitioner shall appear before the trial Court on every date of hearing and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall not enter the jurisdiction of the district Hooghly, except for the purpose of attending the court proceedings and meeting the Officer-in-Charge of Chinsurah Women Police Station, until further orders. The petitioner shall report to the Officer-in-Charge of Chinsurah Women Police Station once every fortnight, until further orders. The petitioner, through his learned advocate, shall inform the learned trial Court as well as the Officer-in-Charge of Chinsurah Women Police Station his present local address where he would be residing while on bail.

In the event the petitioner fails to comply with any of the conditions stipulated above, 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 (DB) 2467 of 2024 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)