

22.08.2024
Item no.86.
Court No.28.
S. De
(Allowed)

CRM (DB) No. 2614 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with **Kalyani Police Station Case No. 425 of 2024** dated **07.06.2024** under **Sections 417/376/323/379/384/506** of the Indian Penal Code.

And

In the matter of : Biplab Das @ Bipul.

.....Petitioner.

Mr. Apurba Kr. Datta,
Mr. Sekhar Barman,for the Petitioner.

Mr. Arindam Sen,
Ms. Pallavgi Priyadarshee,for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is not involved in the alleged incident. He has been falsely implicated. He is in custody for 61 days. Charge-sheet has been filed upon completion of investigation. His further custodial detention is not necessary.
2. Opposing the prayer for bail, learned advocate for the State draws our attention to the statement of the victim lady, a widow, recorded under Section 164 Cr.P.C.
3. It appears prima facie that the petitioner and the victim lady, a widow, had developed a relationship. Upon such relationship turning assiduous, this

complaint has been lodged. However, this is only a prima facie observation and will have no bearing on the trial.

4. In view of our aforesaid opinion, we are inclined to allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely **Biplab Das @ Bipul** 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 Chief Judicial Magistrate, Kalyani, Nadia and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.
6. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
7. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.
8. The application for bail is, accordingly, allowed.

9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)