

CRM (DB) 2790 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Ranitala Police Station Case No. 393 of 2023** dated **04.11.2023** under Sections **376/354(c)/304** of the Indian Penal Code.

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In the matter of : Anowar Sk. @ Anwar Sk.

.... Petitioner.

Mr. Depapriya Samanta,

.... For the petitioner.

Mr. Jannat Ul Firdous,

... For the defacto complainant.

Mr. Rana Mukherjee,

Mr. R. Jana,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The victim is a married lady. She is the defacto complainant. The Investigating Officer produces a letter written by the victim/defacto complainant to the Officer in Charge, Ranitala Police Station to the effect that she has no objection if the petitioner is enlarged on bail. Let the letter be kept with the records.

2. We are told that the petitioner and the victim lady are neighbours. There may have been some amorous relationship between them. Investigation is complete. Charge sheet has been submitted. The petitioner is in custody for 332 days.

3. On an overall consideration of the facts and circumstances of the case and the material on record, we are of the view that further custodial detention of the petitioner is not necessary.

4. Accordingly, we direct that the petitioner, namely, **Anowar Sk. @ Anwar Sk.**, 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, Lalbagh, Murshidabad subject to condition that he shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

5. 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.

6. The application for bail is, accordingly, allowed.

7. 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.)