

CRM (DB) 2940 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Pandua Police Station** Case No. **555 of 2023** dated **06.10.2023** under Sections **376/506/420/380/34** of the Indian Penal Code.

- A n d -

In the matter of : Chand Mohammad @ Chand Mahammad

.... Petitioner.

Mr. Arunava Ganguly,

... For the Petitioner.

Mr. Saibal Bapuli,

Mr. Mirza Firoz Ahmed Begg,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. Liberty is granted to the learned Advocate for the petitioner to correct paragraph 3 of the bail petition by mentioning the correct period of detention.
2. Affidavit of service filed in court today be kept with the records.
3. In spite of service nobody appears for the defacto complainant/victim.
4. The petitioner says that there was a relationship between him and the victim lady who is the mother of two children. The lady in her statement recorded under Section 164 Cr. P.C. has admitted such relationship. She has stated that she entered into such relationship on a promise to marry.
5. The petitioner is in custody for three months. Charge sheet has been submitted upon completion of investigation.

6. In view of the above material in the case diary, we are of the view that further custodial detention of the petitioner is not necessary.

7. Accordingly, we direct that the petitioner, namely, **Chand Mohammad @ Chand Mahammad**, 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 Session Judge, 1st Court, Chinsurah, Hooghly 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. 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.

8. 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.

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

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

(**Prasenjit Biswas, J.)**

(**Arijit Banerjee, J.)**