

04.10.2024
Item no. 25.
Court No.28.
AB
(Allowed)

CRM (DB) 2947 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bamongola Police Station Case No.68 of 2024 Dated 24.03.2024 under Sections 363/366/323/506/120B/376(n)/376(3) of the Indian Penal Code and Sections 9/11 of the Prohibition of Child Marriage Act

And

In the matter of : Biswajit Tikadar

.....Petitioner.

Md. Wasim Akram

.....for the Petitioner.

Mr. S. Basu Roychoudhury

Ms. Z. N. Khan

.....for the State.

Dictated by Arijit Banerjee, J.

1. Report filed on behalf of the State, be kept with the records.
2. From the statement of the victim girl recorded under Section 164 Cr.P.C., it clearly appears that there was a love relationship between the petitioner and the victim girl, who subsequently got married.
3. The petitioner is in custody for 186 days.
4. In view of the material on record, we are of the opinion that further custodial detention of the petitioner is not necessary.
5. Accordingly, we direct that the petitioner, namely **Biswajit Tikadar** 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 Chief Judicial Magistrate, Malda, 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 and/or commit any cognizable offence 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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)

