

27.
Court
No.29
(Allowed)

19.11.2024

(Pritam)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3057 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Kaliganj** Police Station Case No. **348/2024** dated **22.04.2024** under Sections **448/376** of the Indian Penal Code, 1860.

And

In the matter of: - **Tarun Sardar.**

...petitioner.

Mr. Atis Kumar Biswas,
Mrs. Jyoti Agarwal

...for the petitioner

Mr. Prasun Kumar Dutta, Ld. APP.,
Ms. Nandini Chatterjee.

...for the State.

Dictated by Arijit Banerjee, J.

1. Read order dated October 4, 2024. In terms of that order, the victim’s deposition recorded before the learned trial Court, has been placed before us.
2. We see that the victim has turned hostile. This has made a significant dent in the prosecution case.
3. Considering that the petitioner is in custody for more than 190 days, we are inclined to **allow** his prayer for bail.
4. Accordingly, we direct that the petitioner, namely, **Tarun 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 Additional Chief Judicial Magistrate, Krishnagar, Nadia. 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 Nadia, except for the purpose of attending the court proceedings and meeting the Officer-in-Charge of Kaliganj Police Station, until further orders. The petitioner shall report to the Officer-in-Charge of Kaliganj 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 Kaliganj Police Station his present local address where he would be residing while on bail.

5. 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.
6. The application for bail being CRM (DB) 3057 of 2024 is, thus, disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

8. 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.)