

23
29-11-2024
(ct. no. 29)
KOLE
Allowed

CRM (DB) 3078 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 **Gangnapur Police Station** Case No. **455 of 2022** dated **07.09.2022** under Sections **363/365/376(D)/379/506/34** of the Indian Penal Code.
- A n d -

In the matter of : Tarikul Mondal

.... Petitioner.

Mrs. Minoti Gomes,
Mrs. Shanta Sarkar,

... For the Petitioner.

Mr. Suman De,
Ms. Puspita Saha,

... For the State.

Order dictated by Apurba Sinha Ray, J.:

1. Learned Advocate for the petitioner submits that the petitioner has been falsely implicated in this case. Investigation is complete. The petitioner is in custody for about nine months. There is no need of further custodial detention of the petitioner.
2. Learned Advocate for the State opposes the prayer for bail. He draws our attention to the statement of the victim girl recorded under Section 164 of the Criminal Procedure Code.
3. We have considered the materials on record and the case diary. We find that there is no need for further detention of the present petitioner since the investigation is complete and there is no chance of an early conclusion of the trial. Hence, we are inclined to enlarge the petitioner on bail.
4. Accordingly, we direct that the petitioner, namely, **Tarikul Mondal**, 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, Ranaghat, Nadia subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not leave the jurisdiction of Gangnapur Police Station and shall meet the officer-in-charge of the Gangnapur police station once every week until further orders.

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.)