

CRM (DB) 3239 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with Bhagwangola P.S. Case No. 145 of 2024 dated 02.4.2024 under Sections 363/365/34 of the Indian Penal Code and subsequently adding Sections 376(3)/376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act.

And

In the matter of: Raja Sk. @Golam Mostafa & Anr.

Mr. Ranadeb Sengupta

Mr. Sanchit Talukder

... for the petitioners

Mr. Ranabir Roychowdhury

Ms. Pinky Sarkar

...for the State

1. Heard learned lawyers for both parties.
2. Petitioners are not the principal accused. They are in custody for about 94 days. Allegation of rape is not leveled against them.
3. We have considered the materials on record. Petitioners are in custody for about 94 days. Investigation is complete.
4. In view of the extent of complicity of the petitioners in the crime, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Judge, Special Court, Lalbagh, Murshidabad subject to condition that petitioners shall appear before the learned Trial Court on every date of hearing until further order and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future.
6. In the event, petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail prayer in accordance with law without further reference to this Court.
7. The application for bail is, thus, allowed and disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)