

46.
04-12-2024
(ct. no.29)
debajyoti
(allowed)

CRM (DB) 3490 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mogra Police Station Case No.291 of 2024 dated 16-06-2024 under Sections 417/376(n)/313/506 of the Indian Penal Code.

- A n d -

**In the matter of : Md. Sorab @ Md. Sohorab @ Md. Sohrab
@ Md. Saharab
.... Petitioner.**

Ms. Shalini Bairagi,
Mr. Priyankar Ganguly

... For the Petitioner.

Ms. Sayanti Santra,
Ms. Sanjida Sultana

... For the State.

Dictated by Arijit Banerjee, J.

1. Service Report filed by the State be kept with the records. In spite of service, nobody appears on behalf of the defacto complainant/victim.

2. The petitioner says that there was an affair between him and the victim girl. Both are majors. The victim lady conceived out of that relationship. Then she had to be aborted. The false criminal complaint has been filed only to harass him. Investigation is complete. Charge sheet has been filed. He is in custody for 165 days. His further custodial detention is unnecessary.

3. Opposing the prayer, learned State advocate draws our attention to the material in the Case Diary including the

statement of the victim lady recorded under Section 164 of the Code of Criminal Procedure.

4. We have considered the material on record. Considering the nature and gravity of the alleged offence and keeping in mind that investigation is already complete and that the victim was in a relationship with the petitioner, we are of the opinion that further custodial detention of petitioner is not necessary.

5. Accordingly, we direct that the petitioner, namely, **Md. Sorab @ Md. Sohorab @ Md. Sohrab @ Md. Saharab**, 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 Chief Judicial Magistrate, Hooghly at Chinsurah. The petitioner shall appear before the learned 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. The petitioner shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge/Inspector-in-Charge of the said police station once in a week, until further orders.

6. In the event the petitioner fails to comply with any of the conditions stipulated above without any justifiable cause, the learned trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

7. The application for bail is, thus, **allowed**.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. 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.)