

11.11.2024
Ct. No. 28
SL No. 81
SB

CRM (DB) 3625/ of 2024

In Re: - An application for bail under Section Section 483 of B.N.S.S., 2023 in connection with **Habibpur** P.S. Case No. 221 of 2024 dated 18.8.2024 under Sections 329(3)/115(2)/118(2)/64/62/109(1)/ 3(5) of Bharatiya Nyaya Sanhita, 2023

And

In the matter of: Ashok Barman

Mr. Amitabha Karmakar

Mr. Arup Kumar Bhowmick

...for the Petitioner

Ms. Sayanti Santra

Mr. Arka Chakraborty

....for the State

1. Petitioner is in custody for about 84 days. It is contended allegation regarding attempt to rape is false. He prays for bail.
2. Learned lawyer for State opposes the prayer.
3. In the facts of the case, further detention of the petitioner for progress of trial is not necessary. Accordingly, we are inclined to grant bail to the petitioner
4. Accordingly, we direct the petitioner 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, subject to condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
5. In the event petitioner fails to appear before the Trial Court without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without any further reference to this Court.
6. The application for bail is, thus, allowed and disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)