

11.11.2024

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Allowed

C.R.M. (DB) No. 3547 of 2024

In Re:- An application for bail under Section 483 of BNSS in connection with Balurghat Police Station Case No. 437 of 2024 dated 08.06.2024 under Sections 417/376/313/34 of the Indian Penal Code.

And
In Re : Sufal Sarkar petitioner

Mr. Kaushik Choudhury
.... for the petitioner

Mr. Avisekh Sinha
Mr. Abhinaba Mukherjee
.... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. Victim is a major lady. There is no medical report with regard to miscarriage. Petitioner is in custody for 152 days. There is no chance of abscondence. Hence, we are inclined to grant bail to the petitioner.
3. Accordingly, we direct that 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, Dakshin Dinajpur subject to condition that petitioner 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.

4. 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 in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)