

22.10.2024
Ct. No. 8
SL No. 13
NB / SB

C.R.M. (DB) 3558 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure read with 483 of B.N.S.S. 2023 in connection with Basudebpur P.S. Case No. 56/24 dated 20.3.2024 under Sections 363/ 365/376 of the Indian Penal Code.

And

In the matter of: Suman Ali

Mr. Debasis Kar ...for the Petitioner

Mr. Debasish Roy, Ld. P.P.
Mr. Trisha Rakshitfor the State

1. This is an application for bail under Section 439 of the Criminal Procedure read with 483 of B.N.S.S. 2023 in connection with Basudebpur P.S. Case No. 56/24 dated 20.3.2024 under Sections 363/ 365/376 of the Indian Penal Code.
2. Affidavit of service filed as regards service upon the victim lady is taken on record and kept in a sealed cover.
3. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and victim had a love affair. The relationship turned sour at the behest of the victim's mother. Then the victim made a volte' face and levelled scurrilous allegations against the petitioner although she had herself eloped with the petitioner and went to places.
4. Learned Public Prosecutor appearing for the State opposes the prayer and points to the statement of the victim recorded before the learned Magistrate. He submits that charge sheet has already been submitted although charges have not been framed as yet.
5. Considering the fact that the petitioner is in custody for about seven months and in view of the nature of the allegations, we are inclined to allow the application for bail.

6. Accordingly, the petitioner namely, Suman Ali 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, Barrackpore subject to the conditions that the petitioner shall meet the Investigating Officer of the case once a week and shall not intimidate or threaten witnesses or tamper with evidence in any manner whatsoever.
7. The application for bail is, thus, allowed.

(Biswaroop Chowdhury, J.)

(Jay Sengupta, J.)