

08.11.2024
Item no. 85.
Court No.1.
AB
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (DB) 561 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Malbazar Police Station Case No.462 of 2024 Dated 7.8.2024 under Sections 69/88/115(2)/351(3) of BNS, 2023

And

In the matter of : Jahangir Alam @ Pappu

.....Petitioner.

Mr. Prajnadeepta Roy

Mr. Naser Ali for the Petitioner.

Mr. A. S. Chakraborty, Id. APP

Mr. Biswarup Roy for the State.

Dictated by Biswaroop Chowdhury, J.

1. Learned Advocates for the petitioner and the State of West Bengal are present.
2. Heard learned Advocates for the parties.
3. Learned Advocate for the petitioner submits that his client has been falsely implicated in the instant case and the allegation made against the petitioner is not maintainable in the eye of law.
4. Learned Advocate further submits that the defacto complainant, being a married lady, suppressed the fact to the petitioner and created a relationship which when

detected made the defacto complainant institute the instant case.

5. Learned Advocate for the State of West Bengal objects to the grant of bail to the petitioner.
6. Upon perusal of the statement recorded under Section 164 Cr.P.C. and the medical report and other materials in the case diary and considering the period of detention of the petitioner and the stage of investigation, this Court is of the view that further custodial detention of the petitioner is not necessary for the progress of investigation. Hence, the petitioner is granted bail, subject to the petitioner cooperating fully with the Investigating Officer.
7. Accordingly, we direct that the petitioner, namely **Jahangir Alam @ Pappu** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri, and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Investigating Officer once in a fortnight until further orders.
8. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence

and/or commit any cognizable offence in any manner whatsoever.

9. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
10. The application for bail is, accordingly, allowed.
11. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)