

05.12.2024
SL No.3
srm/Mujahid
(Allowed)

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

C.R.M. (DB) 632 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/Section 483 of the B.N.S.S. 2023 filed on **22.11.2024** in connection with **Bhaktinagar** P.S. Case No. **903/2024** dated **04.10.2024** under Section 64(1) of the B.N.S., 2023.

And

In the matter of: **Kajal Barman**

....Petitioner

Mr. Hillol Saha Podder,
Mr. Shantanu Bhowmik
Ms. Mousumi Das

...for the petitioner

Mr. Tapan Bhattacharjee,
Mr. Dhiman Shil

...for the State

The petitioner prays for bail. The petitioner has been in custody for 62 days. The petitioner submits that there was a consensual relationship between the petitioner and the victim. The father of the victim having found out about such relationship, lodged the complaint.

Learned Advocate for the State opposes the prayer for bail on the ground that the investigation is not complete. He has handed over the case diary.

We have perused the material available in the case diary. Upon considering the statement of the victim recorded under Section 164, Cr.P.C. corresponding to Section 183, B.N.S.S. and

the medical report, we are of the considered view that the petitioner should be enlarged on bail. Accordingly, the prayer for bail is allowed.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of equal amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri. The petitioner shall meet the investigating officer once in a week till the investigation is concluded. The petitioner shall not enter the jurisdiction of Bhaktinagar police station except for the purpose of meeting the investigating officer. The petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as stated hereinbefore, it is open to the learned trial court to cancel the bail of the petitioner without any further reference to this Court.

The application for bail is, thus, allowed.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)