

28.02.2025
Item no. 22.
Court No.29.
AB
(Allowed)

CRM (DB) 128 of 2025

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 Samsherganj Police Station Case No.233 of 2024 Dated 27.04.2024 under Sections 392/376D/34 of the Indian Penal Code

And

In the matter of : Ramjan Momin @ KaluPetitioner.

Ms. Minoti Gomes,
Ms. Benajir Hasna,
Mr. Aliul Islamfor the Petitioner.

Ms. Baishali Basu,
Ms. Sonali Bharfor the State.

Dictated by Arijit Banerjee, J.

1. Service Report filed by the State, be kept with the records.
2. The petitioner says that he has been falsely implicated. He detected the defacto complainant/victim having sex with one Goutam Das and he told the lady that he will tell the lady's husband about it. In retaliation, this false complaint has been filed.
3. We have seen the statement of the victim lady recorded under Sections 180/183 B.N.S.S. 2023. We have also seen the First Information Report. The three documents record three versions of the alleged incident.
4. Today, the victim lady has appeared in Court and insisted that she will appear in person in spite of offer having been made for engagement of learned Counsel through Legal Aid. We have verified her identity by

inspecting the original Aadhaar Card. Xerox copy of the Aadhaar Card be kept with the records.

5. Today, we have heard a 4th version of the alleged incident, which is to the effect that the accused persons assaulted the victim lady and her friend Goutam Das. Therefore, they lodged a First Information Report.
6. In view of the aforesaid inconsistencies, we are of the opinion that this is a fit case where we should enlarge the petitioner on bail.
7. Accordingly, we direct that the petitioner, namely **RAMJAN MOMIN @ KALU** 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, Jangipur, Murshidabad, and on further conditions that he shall remain within the jurisdiction of the concerned Police Station and shall meet the Officer in Charge of the concerned Police Station 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)