

10.03.2025
Item no. 42.
Court No.29.
AB
(Allowed)

CRM (DB) 483 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 Kalyani Police Station Case No.1013 of 2024 Dated 12.12.2024 under Section 126(2)/115(2)/76/69/351(2) of the B.N.S. 2023

And

In the matter of : Dipankar Barui @ Dipankar Barai

.....Petitioner.

Mr. Tapan Dutta Gupta,
Mr. P. Anam,
Ms. Rituparna Ghosh,
Ms. Afsana Khatunfor the Petitioner.

Md. Adil Badr,
Mr. Arani Bhattacharyafor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. There was an amorous relationship between him and the victim lady, who is a married person. They had consensual physical relationship. He is in custody for 87 days. Investigation is complete. His further custodial detention is not necessary.
2. The State files a service report. Let the same be kept with the records. In spite of service, nobody appears for the defacto complainant/victim.
3. Learned State Advocate draws our attention to the statement of the victim lady recorded under Section 183

B.N.S.S. 2023. We also see that the victim lady refused to undergo medical examination.

4. On an overall assessment of the facts and circumstances of the case and the quality and quantity of material on record, we are of the view that since investigation is complete, the petitioner's further custodial detention is not necessary.
5. Accordingly, we direct that the petitioner, namely **DIPANKAR BARUI @ DIPANKAR BARAI** 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, Kalyani, and on further conditions that he shall remain within the jurisdiction of the concerned Police Station and shall meet the Inspector in charge/Officer in charge of the said Police Station once in a week until further orders.
6. 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.
7. 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.

8. The application for bail is, accordingly, allowed.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)