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23.04.2025
Ct.No.34
b.das
Allowed

C.R.M. (DB) 1010 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with Nakashipara P.S. Case No.337 of 2024 dated 09.04.2024 under Section 498A/323/376/34 of IPC read with Section 3 /4 of DP Act.

And

In Re : **XXXX**

... Petitioner.

Mr. Avijit Ganguly

... for the Petitioner.

Mr. Bibaswan Bhattacharya

Mr. Mainak Gupta

... For the State.

Ms. Kalpita Paul

...for the de facto complainant.

Heard learned counsels for the parties.

The petitioner is in custody for about 99 days and prays for bail.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated and there is no material against him on record.

Learned counsels for the State and the de facto complainant oppose the prayer.

It appears that the alleged incident occurred before about 2 months from lodging the complaint. The delay has not been explained. The victim lady has refused medical examination.

Considering the material on record and extent of complicity of the petitioner in the alleged offence, this Court is inclined to hold that further detention of the petitioner is not required and he may be released on bail.

Accordingly prayer for bail is allowed.

The petitioner be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnagar subject to condition that the petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is thus disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)