

April 10, 2025

36 ARDR

Allowed

CRM(DB) 1015 of 2025

In Re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with **Liluah**
Police Station Case No. 576 of 2012 dated 08/08/2012 under
Sections 376(2)(f)/506 of the Indian Penal Code.

And

In Re : Arun Oraw

... Petitioner.

Adv. Soumya Roy Basu Chowdhury,

... for the petitioner.

Adv. Sanjay Bardhan,

Adv. Trisha Rakshit,

... for the State.

Heard learned counsels for the parties.

The petitioner was granted bail by the learned trial Court on
31st July, 2015 and appeared before the Court thereafter. On 29th
March, 2019, the petitioner failed to appear before the learned trial
Court for which warrant of arrest has been issued against him. The
petitioner was produced before the learned trial Court on the
strength of the warrant of arrest on 24th April, 2019 and is in
custody since then. Out of twenty-one witnesses, nine witnesses
have been examined, the last witness being examined in 2018.

The petitioner undertakes not to misuse his liberty
henceforth.

In view of the above, the prayer for bail is allowed.

The petitioner, namely, Arun Oraw, 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, Howrah,
subject to the condition that he shall appear before the learned
trial Court on every date of hearing fixed by the learned 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.

It is made clear that this Court has not gone into the merits of the case and the prayer for bail is allowed solely upon consideration of the fact that the petitioner had been granted bail earlier which was cancelled due to his non-appearance before the learned trial Court on a single date.

The application for bail is 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.)