

09.09.2025

36

jb.

jdt.

Allowed

**C.R.M. (M) 1239 of 2025**

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Ranaghat Police Station Case No. 54 of 2022 dated 29.01.2022 under Sections 376(2)(1)/511 of the Indian Penal Code.

And

In Re : Gautam Pandey

Ms. Minoti Gomes

... For the Petitioner.

Mr. Rudradipta Nandy

Mr. Shiladditya Banerjee

... For the State

Mr. Bibaswan Bhattacharya

... For the Defacto Complainant

The petitioner is in custody for more than three years and renews his prayer for bail.

Opposing the prayer, learned counsels for the State and defacto complainant submit that this is the 7<sup>th</sup> application for bail made by the petitioner. Earlier the applications for bail have been turned down considering the material on record.

I have considered the material on record. The allegation against the petitioner is under Section 376(2)(1)/511 of the Indian Penal Code. The petitioner is in custody for a considerable period of time. The victim lady has been examined. The prosecution proposes to examine 8 witnesses out of whom only two witnesses have been examined. Therefore there has not been any progress in trial

since rejection of the bail prayer of the petitioner on 10<sup>th</sup> January, 2025.

Considering the period of incarceration of the petitioner and slow progress in trial, this Court is of the view that the petitioner may be released on bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioner namely Gautam Pandey shall 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 Additional Chief Judicial Magistrate, Ranaghat subject to condition that he shall remain outside the jurisdiction of Ranaghat police station except for the purpose of appearing before the learned trial Court on every date of hearing and shall furnish the address where he shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction he shall presently reside. He shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, 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 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.)**