

24. 10.01.2025
Court
No.29 (Pritam)
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3711 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Hanskhali** Police Station Case No. **527/2024** dated **14.07.2024** under Sections **342/363/365/323/325/376(2)(n)/376(D)/376/511/384/354A/354B/354D/506/509/120B/411** of the Indian Penal Code, 1860.

And

In the matter of: - **Ramprasad Mondal.**

...petitioner.

Mr. Sananda Bhattacharya

...for the petitioner.

Mr. Subhomoyee Bhattacharya,
Mr. Shashanka Shekhar Saha

...for the State.

Dictated by Apurba Sinha Ray, J.

1. The petitioner claims that he has been falsely implicated in this case. He has been in custody for about 170 days. Investigation is complete. As such, there is no need for his further custodial detention.
2. The learned advocate for the State raises objection. However, he has fairly submitted that there is no incriminating material in the statement recorded under Section 164 Cr.P.C against the present petitioner.
3. Learned counsel for the *de-facto* complainant has raised strong objection. According to him, the present petitioner is also

involved in the sex racket, which was carried on in their premises.

4. We have considered the materials on records. The principal accused are in custody. The victim did not name or whisper anything about the present petitioner in her statement recorded under Section 164 Cr.P.C. As the investigation is complete and principal accused are in judicial custody, we are inclined to allow the petitioner's prayer for bail.
5. Accordingly, we **allow** the petitioner's prayer for bail.
6. Accordingly, we direct that the petitioner, namely, **Ramprasad Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned *Additional District & Sessions Judge, Fast Track Court, Ranaghat, Nadia*. The petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall not enter the District of *Nadia* except for the purpose of attending court proceedings, until further orders. The petitioner shall report/meet to the Officer-in-Charge/Inspector-in-Charge of territorial police station once in every week and shall inform the Investigating Officer and also the learned Trial Court about his

latest address where he will be residing while on bail, until further orders.

7. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this court.
8. The application for bail being CRM (DB) 3711 of 2024 is, thus, disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
10. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)