

26.02.2025
Item No.57
Court No.26
S.D.
(Bail granted)

CRM (DB) 4272 of 2024

In re: An Application for **Bail** under Section 439 of the Code of Criminal Procedure, 1973/section **483** of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Burwan** Police Station Case No. **251** of **2024** dated **25.07.2024** under Section **376(2)(1)/313/506** of the Indian Penal Code.

-And-

In the matter of: Ashim Saha

... .. Petitioner

Mr. Kallol Kumar Basu
Md. Jannat Ul Firdous
... .. For the Petitioner
Mr. Rana Mukherjee, Ld. A.P.P.,
Mr. Tirupati Mukherjee
...For the State

Petitioner and the victim are adults.

Possibility of a consensual relationship remains.

Medical termination of pregnancy apparently did not take place at the behest of the petitioner.

Considering the materials on record, we deem it appropriate to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a 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, Kandi, Murshidabad** subject to the condition that the petitioner shall

appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.

The prayer for bail of the petitioner is **allowed**.

C.R.M.(DB) 4272 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)