

20.02.2025
Item No.89
Court No.26
S.D.
(Bail granted)

CRM (DB) 4332 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 **Balagarh** Police Station Case No. **177** of **2024** dated **09.04.2024** under Sections **376(2)(1)/506** of the Indian Penal Code, 1860.

-And-

In the matter of : Sk. Babar @ Buro @
Sk. Babar Ali

... ... Petitioner

Mr. Jayanta Narayan Chatterjee
Ms. Sreeparna Ghosh
Ms. Ritushree Banerjee

... ... For the Petitioner

Ms. Sayanti Santra
Mr. Sandip Kundu

... ...For the State

Petitioner is in custody for 10 months and 13 days.

Police filed charge sheet.

Victim is speech impaired. Victim underwent medical examination one day after the alleged penetrative sexual assault on her.

During medical examination, no injury marks were found on the private parts of the victim.

Considering the period of detention and the materials on record in the case diary and the fact that the police filed charge sheet, we 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 Chief Judicial Magistrate, Hooghly, at Chinsurah**, subject to 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) 4332 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)