

CRM (DB) 48 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Khusmandi Police Station** Case No. **191 of 2024** dated **03.10.2024** under Sections **329(4)/64/351(3)** of the BNS.

- A n d -

In the matter of : Sirajuddin Ahmed

.... Petitioner.

Mr. Subir Ahmed,
Mr. T. Ahmed,

... For the Petitioner.

Mr. Saibal Bapuli,
Mr. Tirupati Mukherjee,

... For the State.

Order dictated by Apurba Sinha Ray, J.:

1. Service report filed by the State be kept with the records.
2. In spite of service, nobody appears for the defacto complainant/victim.
3. Learned Advocate for the petitioner submits that the petitioner is in custody for four months seventeen days. Investigation is complete. There was an amorous relationship between the victim and the petitioner. However, as the investigation is complete, there is no need for further custodial detention of the petitioner.
4. Learned State Advocate opposes the bail prayer. He draws our attention to the statement recorded under Section 164 of the Criminal Procedure Code and also the medical report of the victim. He further says that February 28, 2025 is the next date fixed for framing of charge.
5. We have considered the materials on record and the case diary. After considering the statement of the victim recorded under Section 164 of the Code, the medical report and also the fact that

the investigation is complete, we think there is no need for further custodial detention of the petitioner.

6. Accordingly, we direct that the petitioner, namely, **Sirajuddin Ahmed**, shall be released on bail upon furnishing a bond of Rs. 10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate at Buniadpur, Dakshin Dinajpur subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not leave the jurisdiction of the concerned police station and shall meet the O.C of the concerned police station once every fortnight until further orders.

7. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

8. The application for bail is, accordingly, allowed.

9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(**Apurba Sinha Ray, J.)**

(**Arijit Banerjee, J.)**