

IN THE COURT OF ADDL DIST & SESSIONS JUDGE,
ISLAMPUR, UTTAR DINAJPUR.
CNR NO.WBUD05-000913-2022
Crl. Misc. Case No. 505 2022
G.R. Case no.1128/2022

Present : Bishnu Baran Mondal,(J.O. no. WB-776)
Addl Dist & Sessions Judge 1 st Court
Islampur, Uttar Dinajpur.

Sahidul Islam

Versus
State of West Bengal.

02/24-06-2022.

This is an application u/sec. 439 of Cr. P.C praying for bail filed by the accused/petitioner as against the rejection order of the Ld ACJM, Islampur in connection with Chopra PS Case No.239/2022 dated 02.05.2022 U/S- 448/376/506 of IPC

The record is taken up for hearing and order in presence of Ld. Addl. P.P. and Ld. Counsel for the accused/petitioner.

Ld. Advocate for the accused submits in open court that no other application of similar nature is either pending or rejected by the Hon'ble High Court. He further submits that after filing the instant Crl Misc case he did not pray for bail before Ld ACJM, Islampur till date.

Ld. Advocate for the accused petitioner submitted that the incident allegedly occurred on 13-02-2022 and FIR has been lodged on 02-05-2022. His client is in custody since 08-06-2022. His client is innocent and has been falsely implicated in this case and he may be granted bail on any condition.

Ld. Addl. Public Prosecutor produced CD and submitted that the victim refused to undergo medical examination and order be passed after perusing the materials in CD.

From the CD it appears that the victim refused to undergo medial examination.

Having regard to the above facts, submission of both sides, other facts and circumstances of the case, and materials in the case record and CD and after comparing the statement of the victim woman with the contention of FIR, this court is of considered view to allow the bail prayer of the accused subject to some conditions.

Hence, bail prayer is allowed.

The accused be released on furnishing bail bond of Rs.5000/- with two sureties of Rs.2500/- each, **one of whom must be local**, on condition to meet the I.O once in a week for next three months or completion of investigation whichever is earlier, to the satisfaction of Ld. A.C.J.M., Islampur.

Let a copy of this order along with L.C.R. be sent to the office of the Ld. Additional Chief Judicial Magistrate, Islampur for information and taking necessary action.

C.D. be returned.

Crl. Misc. Case is thus disposed of.

Dictated & corrected by

Addl Sessions Judge, 1st Court
Islampur, Uttar Dinajpur

Addl Sessions Judge, 1st Court
Islampur, Uttar Dinajpur