

20.11.2024
Item no.692.
Court No.29.
S. De

**I.A. No. CRAN 3 of 2024
in
CRM No. 7290 of 2018**

In re : An application for relaxation of condition of Bail.

In the matter of : Debashis Ghosh @ Chotka.

.....applicant.

Mr. Abhijit Sarkar,for the applicant.

Mrs. Debjani Sahu, ...for the State.

In re : CRAN 3 of 2024

1. The petitioner was granted bail by an order dated October 4, 2018 in CRM 7290 of 2018. The conditions of bail were, inter alia, that he shall not enter the jurisdiction of Tangra P.S., Topsia P.S. and Progoti Moidan P.S. except for attending the court proceedings and shall meet the officer-in-charge of the concerned police station where he shall presently reside once in a week.
2. The conditions were relaxed by an order dated May 8, 2023 passed in CRAN 2 of 2023, permitting the petitioner to enter the jurisdiction of Topsia P.S. and Progoti Moidan P.S. but not Tangra P.S. and permitting him to meet Officer-in-Charge, Topsia P.S. once in a month.

3. The petitioner now prays for relaxation of the order restraining him from entering the jurisdiction of Tangra P.S.
4. Learned State counsel strongly opposes the prayer and says that the prosecution witnesses stay in that locality. There is likelihood that the petitioner, who is the brother of the principal accused, will intimidate the prosecution witnesses.
5. To our query, learned State counsel tells us that two out of 70 chargesheet named witnesses have been examined till date. We are startled. Chargesheet was filed in 2018. Presumably charge was framed soon thereafter. In the last six years two witnesses have been examined. At this rate, the trial will be pending forever. We cannot restrain the petitioner from entering the jurisdiction of Tangra P.S. where his residence is situate forever. In view of the aforesaid we are inclined to permit the petitioner to enter the jurisdiction of Tangra P.S. He will, however, not get in touch with or intimidate any of the prosecution witnesses. Instead of Topsia P.S., he will now report to the officer-in-charge of the Tangra P.S. once in fifteen days.
6. The other conditions of bail shall remain unaltered.
7. CRAN 3 of 2024 is disposed of.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)