

07 16.4.2019

Skc/gd

CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
APPELLATE SIDE

C.R.M. 104 of 2019

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 02/4/2019 in connection with Kumargram P.S. Case No.6 of 2019 dated 22/01/2019 under Sections 447/376/511/506 of the Indian Penal Code.

And

In the matter of: Sri Biswanath Barman

....petitioner.

Mr. Kalipada Das

...for the petitioner.

Mr. A.S. Chakraborty

Mr. Sourav Ganguly

...for the State.

The petitioner seeks bail in connection with Kumargram P.S. Case No.6 of 2019 dated 22/01/2019 under Sections 447/376/511/506 of the Indian Penal Code.

The State opposes the prayer and refers to the statement of the victim recorded under Section 164 of the Code. The State also places the statement of a daughter of the victim recorded under Section 161 of the Code.

Considering the material against the petitioner, including the statements placed by the State, there may not be any need for the further interrogation of the petitioner since the investigation has been completed and the charge-sheet has been filed.

However, the petitioner will not enter any place within the jurisdiction of Kumargram Police Station and the petitioner will not attempt to contact the victim or the victim's family till the conclusion of the trial.

Accordingly, 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, to the satisfaction of the Additional Chief Judicial Magistrate, Alipurduar on the conditions that he shall not intimidate the witnesses or tamper with the evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

In the event of violation of any of the conditions, the trial court will be at liberty to cancel the bail without reference to this Court.

The prayer for bail is allowed, subject to the conditions stated above.

Certified website copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Sanjib Banerjee, J.)

(Suvra Ghosh, J.)