

08.12.2020

Item No.14
Ct.No.42
dc.

C.R.R. 1635 of 2020
(Through Video Conference)

Suman Paul
versus
The State of West Bengal

Mr. Dipayan Kundu,
Mr. Arunava Ganguly ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Arijit Ganguly ... For the State.

The learned advocate for the petitioner submits that although the order was passed on 09.07.2020 in connection with NGR(E)159/2020 which is a proceeding under Section 110 of the Code of Criminal Procedure but the bond which has been imposed by the learned Special Executive Magistrate, Chandannagar Division, Chandannagar Police Commissionerate is impossible to be executed and the petitioner till date could not execute the same.

Mr. Arijit Ganguly, learned advocate appears for the State.

I have gone through the operative part of the order in respect of the bond which is to be furnished and which is as follows :-

“..... to submit show cause as to why he should be required to execute Good behaviour bond of Rs.1,00,000/- each with two reputed Gazetted Officer as surety holder of the like amount for keeping peace for a period of 3 (Three) years.
.....”

In view of the conditions so imposed by the learned Executive Magistrate, I am of the opinion that the same do not facilitate through a proper perspective of the object of legislature and the said bond is impossible to be executed. Accordingly, the petitioner is directed to furnish bond of Rs.1,00,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned ACJM, Chandannagar.

If the petitioner is released, the petitioner will meet with the Officer-in-Charge of Chandannagar Police Station twice a week until further orders.

In case, there is violation of any condition, the Officer-in-Charge of Chandannagar Police Station is directed to bring it to the notice of the learned ACJM, Chandannagar who under his authority would be empowered to impose further condition so that the very purpose of Section 110 of the Code of Criminal Procedure is complied with.

With the aforesaid observations, CRR 1635 of 2020 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Tirthankar Ghosh, J.)