

12.01.21
S.R.
Sl.11
Ct.28

CRM No.114 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Baishnabnagar Police Station Case No.620 of 2020 dated 08.11.2020 under sections 447/325/326/308/302/34 of the Indian Penal Code (G.R. Case No.5035 of 2020);

And

In re: Dwijendra Nath Dubey @ Dwijen Nath Dubey @ Dwijen Dubey @ Dijen Dube ... petitioner.

Mr. Sourav Chatterjee

Mr. Aditya Tiwari ... for the petitioner.

Mr. N. Ahmed, Ld. A.P.P.

Ms. Mayukhi Mitra

Ms. Amita Gour ...for the State.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that there was a dispute pertaining to a land among the parties. The petitioner is in custody for 65 days and that the present complaint has been lodged as a counterblast to an earlier complaint lodged by the petitioner's daughter.

Mr. Ahmed, learned advocate appearing for the State respondent submits that the investigation is in progress and charge-sheet is yet to be filed and that at this stage the prayer of the petitioner needs to be rejected.

Upon considering the materials on record in the case diary, the 164 statement and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that further detention of the petitioner is not necessary.

Accordingly, the petitioner, namely, **Dwijendra Nath Dubey @ Dwijen Nath Dubey @ Dwijen Dubey @ Dijen Dube**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Malda, subject to the condition that the petitioner shall meet the investigating officer once in a week on and from 15th January, 2021, until further orders and he shall not leave the jurisdiction of Baishnabnagar Police Station in the district of Malda till investigation is completed.

The application for bail being CRM No.114 of 2021 is, thus, allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)