

12.01.2021
Item No.28
Ct.No.28
dc.
Allowed

C.R.M. 182 of 2021
(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Arko Biswas @ Aorko Biswas ... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Susnigdho Bhattacharyya ... For the Petitioner.

Mr. Bidyut Kumar Roy,
Ms. Rita Datta ... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Ashokenagar P.S. Case No. 676/2020 dated 22.09.2020 under Sections 376/506 of the Indian Penal Code.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the criminal proceedings and that he is in custody for more than 112 days. The FIR has been lodged about a month after the alleged incident and upon completion of investigation, charge-sheet has also been filed.

The learned advocate appearing for the State respondent denies the contention of the petitioner and

submits that there are incriminating materials on record against the petitioner.

Upon considering the materials in the case diary and the extent of complicity of the petitioner in the alleged offences, we are of the opinion that further detention of the petitioner is not necessary and we are inclined to grant bail.

Accordingly, we direct that 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 each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Barasat and on further condition that the petitioner shall meet with the Officer-in-Charge of the Ashokenagar Police Station once a week on and from 15.01.2021, until further orders.

The application for bail being CRM 182 of 2021 is, accordingly, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)