

14.01.2021
Item no.17
Court No.28
Avijit Mitra
Allowed

C.R.M. 243 of 2021 (via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure;

And

In Re : Ratan Kumar Roy @ Ratan Kr. Roy

.... petitioner

Mr. Sourav Chatterjee,
Mr. Soumya Nag

....for the petitioner

Mr. Saibal Bapuli,
Mr. Arani Bhattacharyya

..... for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Habibpur Police Station Case No.123 of 2019 dated 19.04.2019 under Sections 14(A)(b)/14(C) of the Foreigners Act and under Sections 468/471/120B of the Indian Penal Code.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner is an Indian national and is employed as a Sahayak in Jajail Gram Panchayat. He has been falsely implicated in the criminal proceedings and is in custody for 56 days. Upon completion of investigation, charge sheet has been filed and one Mithun Tikka, similarly situated with the petitioner, has already been enlarged on bail by this

Court on 12th January, 2020. In view thereof, further detention of the petitioner is not necessary.

Learned advocate appearing for the State opposes the petitioner's prayer for bail.

Having heard the learned advocates and upon considering the materials in the case diary, the nature of allegations and the fact that a co-accused has already been granted bail, we are of the opinion that further detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Chief Judicial Magistrate, Malda.

The application for bail being C.R.M. No.243 of 2021 is, accordingly, allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)