

21.01.2021
Item No.22
Ct.No.28
Subha
Allowed

C.R.M. 364 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 : Md. Murshed Alam ... Petitioner.

Mr. Milon Mukherjee, Sr. Advocate
Mr. Biswajit Manna
... For the Petitioner.

Mr. Swapan Banerjee,
Ms. Purnima Ghosh
... For the State.

Mr. Malay Bhattacharya
Mr. Arup Kumar Chatterjee
Mr. Pinaki Brata Ghosh
....for the de facto complainants/intervenor.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with New Town P.S. Case No. 219 of 2020 dated 17-11-2020 under Sections 341/326/354 /307/34 of the Indian Penal Code.

Mr. Mukherjee, learned senior advocate appearing for the petitioner submits that the petitioner has been falsely implicated and he is in custody for more than 62 days. The co-accused persons have already been granted anticipatory bail and in view thereof, further detention of the petitioner is not necessary.

Mr. Banerjee, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Mr. Bhattacharyya, learned advocate appears on behalf of the *de facto* complainant.

Having heard the learned advocates appearing for the respective parties and considering the materials available in the case diary, the nature of allegations, the injury report 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, we direct that the petitioner namely, **Md. Murshed Alam** 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, North 24 Parganas at Barasat and on a further condition that the petitioner after being released on bail shall meet with the Investigating Officer, New Town Police Station once a week on and from 25th January, 2021, until further orders.

The application being CRM 364 of 2021, is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)