

22.02.2021
Item No.32
Ct.No.28
Subha
Allowed

C.R.M. 468 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 : Baby Das @ Guria & Anr. ... Petitioners.

Mr. A. Chatterjee
Mr. Soumya Basu Roy Chowdhury
... For the Petitioners.

Mr. Rudradipta Nandy
... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Tangra P.S. Case No. 271 of 2020 dated 18-10-2020 under Sections 302/307/324/34380 of the Indian Penal Code.

The learned advocate appearing for the petitioners submits that the petitioners are in custody for about 135 days and the investigation of the case has already been concluded.

The learned advocate for the petitioners further submits that the petitioners have been implicated in the

instant case only as they were standing when the alleged offences were being committed at the instance of one Anil Das and Ravi Das.

Further, the learned advocate for the petitioner submits that on any stringent condition, the petitioner may be released.

Mr. Nandy, learned advocate appearing for the State draws the attention of this court to the statement of two witnesses including the statement of the injured.

We have perused the materials available in the case diary including the statement referred to by the learned Advocated for the State.

On an assessment of the same, we are of the opinion that as the investigation has already been concluded and the petitioners are in custody for a considerable period of time, further detention of the petitioners are unwarranted in the facts and circumstances of the case.

Accordingly, we direct that the petitioners, namely ***Baby Das @ Guria and Bedania Das*** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Sealdah and on further condition that the petitioners shall not leave the jurisdiction of learned Additional Chief Judicial Magistrate, Sealdah

without the permission of the learned trial court until further orders.

The application for bail being CRM 468 of 2021 is, accordingly, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)