

22.03.2021

Item No.75

Ct.No.28

Subha

Allowed

C.R.M. 973 of 2021

(Via Video Conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Taherpur Police Station Case No. 184 of 2020 dated 23rd October, 2020 under Sections 148/149/323/325/326/307/506/34 of the Indian Penal Code.

In the matter of : **Didal Biswas & Ors.** ... Petitioners.

Ms. Minoti Gomes ... For the Petitioners.

Ms. Sukanya Bhattacharyya
Mr. Mirza Firoj Ahmed Begg

... For the State.

Leave is granted to the Advocate-on-Record of the petitioner to correct the description of the father's name of the petitioner no. 2.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Taherpur P. S. Case No. 184 of 2020 dated 23rd October, 2020 under Sections 148/149/323/325/326/307/506/34 of the Indian Penal Code.

Ms. Gomes, learned advocate appearing on behalf of the petitioners submits that the petitioner no.1 is in custody from October, 2020 and the petitioner nos. 2 and 3 are in custody from 21st January, 2021.

Additionally, learned advocate appearing for the petitioners submits that the continuance of the dispute was regarding a quarrel between the womenfolk and therefore assault and injury being committed by both the parties.

Ms. Bhattacharyya, learned advocate appearing for the State opposes the prayer for bail and draws the attention of this court to the injury report.

We have perused the materials on record available in the case diary and assessed the injury report as well as the medical report and having regard to the period of detention undergone by the present petitioners, we are of the opinion that further detention of the present petitioners is unwarranted for the sake of the case and, as such, the prayer for bail of the present petitioners is allowed.

Therefore, the accused/petitioners namely, **Didal Biswas, 2. Debabrata Biswas & 3. Pravat Bala** 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, Ranaghat, Nadia subject to condition that they shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on

further condition that the present petitioners after their release on bail shall stay outside the jurisdiction of the District of Nadia and shall enter the said District only for the limited purpose of attending court proceedings.

The petitioners shall also meet with the Officer-in-Charge of concerned police station once a week until further orders and shall also provide their addresses where they would be residing.

The Investigating Officer of the case in turn shall communicate the same to the learned Magistrate/Trial Court.

With the aforesaid observations, the application for bail being CRM 973 of 2021 is, accordingly, disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)