

09.08.2021
Court No.28
Item No.5
(Allowed)
Saswata

CRM 1979 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 18.02.2021 in connection with Santipur Police Station Case No. 39 of 2021 dated 13.01.2021 under Section 447/325/326/307/506/34 of the Indian Penal Code;

And

In the matter of : **Amar Bag & Anr.**

...Petitioners

Ms. Sananda Bhattacharya

...For the Petitioners

Mr. Rana Mukherjee

Ms. Sujata Das

Ms. Debjani Sahu

... For the State

The Advocate-on-record of the petitioners undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 39 of 2021 under Section 447/325/326/307/506/34 of the Indian Penal Code.

The petitioners have filed this application for bail having in custody for more than 208 days. It is submitted that the present case has been lodged as a counter blast to the case lodged by the petitioners over a scuffle between the two groups.

The State opposes the prayer for bail. It is submitted that the petitioners' involvement in the commission of an offence cannot be ruled out in view of the statements of the injured persons.

After hearing respective submissions and on perusal of the materials on record, we find from the medical record that the injury

is simple in nature. Though the names of the petitioners have been disclosed, we do not think that custodial interrogation of the petitioners is at all necessary in connection with the instant case.

The prayer for bail of the petitioners is, thus, considered and ***allowed.***

Accordingly, the petitioners, namely, **Amar Bag and Utpal Bag @ Biplab** shall be released on bail upon furnishing a bond of ₹10,000/- (Rupees Ten Thousand) 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 the condition that the petitioners shall appear before the Trial Court on every date of hearing until further orders.

In the event the petitioners fail to do so without any justifiable cause, the Trial Court shall be at liberty to pass necessary order in accordance with law without any further reference to this Court.

The application for bail, being CRM 1979 of 2021, is thus **disposed of.**

(Harish Tandon, J)

(Bibek Chaudhuri,J.)