

10.06.2021
Tkm/aj/ct 28
sl no. 94

**C.R.M. 1999 of 2021
(Through video conference)**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Balurghat P.S case no. 142/2020 dated 17.4.2020 under sections 341/323/325/326/34 of the IPC added section 307 of the IPC

And

Allowed

In Re : Tatan Basak @ Toton petitioner

Mr. K. Choudhury
Ms. B Khatoon

..... for the petitioner

Mr. Rana Mukherjee
Ms. Sukanya Bhattacharya
Ms. D Sahu

..... for the State

The application for bail under section 439 Cr. P.C has been filed on two-fold grounds i.e. charge sheet has been submitted in the matter and also that the principal accused Narayan Debnath has been enlarged on bail by a co-ordinate Bench of this court in CRM 10983 of 2020 on 29.1.2021.

Petitioner is in custody for more than 149 days.

Counsel for the State produces case diary and the injury report. It appears that the injury is simple.

Having considered the materials in the case diary, nature of injury and the period of detention, this court is of the view that further detention of the petitioner is not necessary.

Accordingly, the petitioner 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 learned Sessions Judge in Charge, Dakshin Dinajpur at Balurghat on

condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever **and on further condition that the petitioner while on bail shall not enter the jurisdiction of Balurghat P.S. until further orders except** for the purpose of investigation and attending court proceeding and shall report to the concerned officer in charge within whose jurisdiction they shall reside while on bail once in a week until further orders and shall provide the address where he shall presently reside to the investigating officer as well as court below while on bail. The petitioner shall surrender his passport to the Investigating Officer and if he does not possess a passport shall submit an affidavit to that effect before the Investigating Officer.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 1999 of 2021 is disposed of.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)