

03.06.2021
Court No.28
Item No. 35
Krishnendu
Bail Granted

**CRM 2489 of 2021
(Via video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Gosaidas Sikdar**

Petitioner

Mr. Prabir Majumder

Mr. Snehansu Majumder

For the Petitioner

Mr. Swapan Banerjee

Mr. Suman De

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Hanskhali Police Station Case No. 571 of 2020 dated 27.10.2020 under sections 341/326/307/34 of the Indian Penal Code.

Mr. Majumder, learned advocate appearing for the petitioner submits that in respect of an incident, which occurred on 26th October, 2020, a complaint was lodged by the petitioner herein against the *de facto* complainant and others and the petitioner has been falsely implicated in a counter case lodged by the *de facto* complainant. The petitioner is a person presently aged about 81 years and upon completion of investigation, charge sheet has also been submitted. In view thereof, further detention of the petitioner, who is in custody for 177 days, is not warranted.

Mr. Banerjee, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the injury report and the statements of the witnesses, as recorded under sections 161 of the Code of Criminal Procedure.

Having heard the learned advocates appearing for the respective parties and considering the nature of allegations, the age of the petitioner and the period of his detention, we are of the opinion that further detention of the petitioner is not warranted in the facts and circumstances of the case.

Accordingly, we direct that the petitioner, namely **Gosaidas Sikdar**, shall 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia on condition that the petitioner shall meet with the Officer in Charge of Hanskhali Police Station once in a fortnight on and from 8th June, 2021 until further orders.

It is further directed that the petitioner shall not tamper with the evidence or intimidate the witnesses. He shall also attend the learned Court below on all the dates, as specified for hearing.

In the event he fails to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel his bail, in accordance with law, without further reference to this Court.

With the aforesaid observations, the application for bail, being CRM No. 2489 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Shampa Sarkar, J)

(Tapabrata Chakraborty, J)