

28.06.2021

CRM 2774 of 2021

Court No. 28
Item No. PB-48
nandy

(bail - allowed)

In Re: An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 17.03.2021 in connection with Kaliganj Police Station Case No. 555 of 2019 dated 27.12.2019 under Sections 341/323/308 of the Indian Penal Code (G.R. Case No. 2027 of 2020)

and

In the matter of: **Sujit Das @ Mastan**

..... Petitioner

Mr. Asraf Mondal, Advocate

Mr. Manas Kumar Das, Advocate

Mr. Arindam Ray, Advocate

.....for the Petitioner

Ms. Sukanya Bhattacharya, Advocate

Mr. Nirupam Dhali, Advocate

..... for the State

Advocate-on-record of the petitioner 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 petitioner has filed the instant application for bail in connection Kaliganj Police Station Case No. 555 of 2019 dated 27.12.2019 under Sections 341/323/308 of the Indian Penal Code.

The petitioner is in custody for about 126 days. The only non-bailable offence is under Section 308 of the Indian Penal Code. The allegations against the petitioner is that he protested the digging of road by one Paritosh Das whose goat was hit by a motorcycle and as he did not pay any heed to the said protest, it is alleged that the petitioner along with some other persons entered the house of the said person and inflicted physical assault.

We have perused the injury report annexed to the case diary and considering that charge-sheet has already been filed, we do

not think further detention of the petitioner is necessary.

As such, the prayer for bail is **allowed**.

Accordingly, the petitioner shall be released on bail on the following conditions:-

- i) The petitioner shall furnish a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia;
- ii) The petitioner shall make himself available on each and every date so fixed by the trial Court;
- iii) The petitioner shall not tamper with the evidence and shall not intimidate the witnesses in any manner whatsoever;
- iv) Failure to attend the Court on a solitary day without any justifiable reason shall disentitle the petitioner the privilege of bail and the trial Court would be at liberty to cancel the bail without any reference to this Court.

The application being **CRM 2774 of 2021** accordingly **disposed of**.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)