

CRR 1045 of 2021

In re : An application under Section 482 read with Section 483 of the Code of Criminal Procedure, 1973.

In the matter of : **Suvo Ari**

..... petitioner

**Mr. Sudip Ghosh Chowdhury
Mr. Argha Das
Mr. Abhishek Bose**

....For the petitioner

**Mr. S. G. Mukherji, Ld. P.P.
Mr. Arijit Ganguly**

.....For the State

The impugned order dated 15th March, 2021 passed by Learned Special Executive Magistrate, Chandannagar Division, Chandannagar Police Commissionerate in NGR (Ex) No. 61/2021 putting some conditions, while making release of the petitioner upon execution of bond under Section 110 of the Code of Criminal Procedure, is the subject matter of challenge in this revisional application.

Copy of the revisional application be made over immediately to State. Mr. Ganguly, learned junior Government advocate remaining present in Court today, be immediately served with copy of the application for the perfect address of the issue involved in this case.

Mr. Ghosh Chowdhury, learned advocate representing the petitioner submits that by the order impugned learned Court below has conditioned the release order upon furnishing a bond of Rs.2,00,000/- each with two sureties, one of whom shall be local respectable person and another shall be school teacher and upon putting such conditions, learned advocate for the

petitioner contends that such conditions are nothing but onerous, and if allowed to be existed, without any modification, the very purpose of release order under Section 110 of the Code of Criminal Procedure may be frustrated.

Mr. Ganguly representing the State submits that having considered the checkered conduct of the petitioner, the learned Court below has rightly allowed release order upon putting some conditions, which must go uninterfered with.

Having considered the submission of both sides and bearing in mind the materials placed in the record, the instant revisional application may be disposed of so as to uphold the very purpose of object enshrined in Section 110 of the Code of Criminal Procedure, a little modification of the order impugned is felt necessary. Let the petitioner be released upon execution of a bond of Rs.2,00,000/- with sureties, conditioned as follows. Two registered sureties of Rs.50,000/- each, and another local sureties of Rs.1,00,000/-.

With these modification, the impugned order dated 15th March, 2021 stands modified to the extent as above.

The revisional application accordingly stands disposed of.

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

(Subhasis Dasgupta, J.)