

CRM 3902 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jagaddal Police Station Case No.472 of 2017 dated 09-05-2017 under Sections 302/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

- A n d -

In the matter of : Biswajit Laskar @ Biswa & Ors.

.... Petitioners.

Mr. Soubhik Mitter,
Ms. Sreeparna Das,
Ms. Aindrila De,
Ms. Rajnandini Das

... For the Petitioners.

Mr. Madhusudan Sur, learned APP,
Mr. Dipankar Paramanick

... For the State.

The petitioners are in custody for more than four years. They renew their prayer for bail.

It is submitted on behalf of the petitioners that they have been falsely implicated and their further detention is not required.

The State refers to various statements in the Case Diary and opposes the prayer for bail.

We have considered the material in the Case Diary. It *prima facie* appears that the petitioner no.1 is the principal assailant who inflicted the gun-shot injury on the victim, who succumbed to such injury.

In view of the *prima facie* involvement of the petitioner no.1 in the alleged offence, we are not inclined to grant bail to the petitioner no.1 at this stage.

However, considering the extent of complicity of petitioner nos.2 and 3 in the alleged crime and the fact that a co-accused person similarly placed with the petitioner nos.2 and 3 herein has been granted bail earlier, we extend the same privilege to the petitioner nos.2 and 3.

Accordingly, we direct that the petitioner nos.2 and 3 shall be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Barrackpore. The petitioner nos.2 and 3 shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner nos.2 and 3 shall remain within the jurisdiction of the local police station and shall report to the Officer-in-Charge of the said police station once every fortnight.

In the event the petitioner nos.2 and 3 fail to adhere to any of the conditions stipulated above without justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for bail being CRM 3902 of 2021 is **disposed of** accordingly.

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

(**Suvra Ghosh, J.)**

(**Arijit Banerjee, J.)**