

23.09.2021
Item no.64.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 4610 of 2021

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 8.7.2021 in connection with Dhantala Police Station Case No.136 of 2021 Dated 3.4.2021 under Sections 326/307/34 of the Indian Penal Code

And

In the matter of : Debraj Rajbanshi

.....Petitioner.

Ms. Minoti Gomesfor the Petitioner.

Mr. Binay Kr. Panda,
Ms. Pushpita Saha,
Mr. Subham Bhakatfor the State.

The petitioner says that he has been falsely implicated. The victim is a peeping Tom. He was peeping into the toilet of the petitioner's mother. The petitioner lost his cool and assaulted the victim. No serious injury was caused. The victim's mother has filed the instant complaint.

We have seen the injury report. The same does not reveal anything significant. The petitioner is in custody for 126 days. Charge sheet has been submitted.

Considering the material on record and the nature and gravity of the offence, we are of the view that further custodial detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner, namely Debraj Rajbanshi 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 at Nadia, and on further conditions that he shall remain within the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

The petitioner 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.

In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)

