

CRM 4639 of 2021

In re : An application under Section 439 of the Code of Criminal Procedure, 1973 in connection with Taherpur Police Station Case No. 184 of 2020 dated 23.10.2020 under Sections 341/449/323/326/307/506/34 of the Indian Penal Code.

In the matter of : **Amrita Biswas & Ors.**

..... petitioners

Ms. Minoti Gomes

....For the petitioners

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

....For the State

The petitioners say that they are in custody for about 105 days. The main allegations are under Sections 326/307 of the Indian Penal Code. They say that three co-accused persons were granted bail by a coordinate Bench of this Court by an order dated March 22, 2021 in CRM No. 973 of 2021. The petitioners say that they stand on the same footing as the said accused persons who have been granted bail.

Learned advocate for the State in his usual fairness does not dispute that the present petitioners are similarly circumstanced as the petitioners in CRM No. 973 of 2021, who were enlarged on bail by this Court.

In view of the aforesaid and also having seen the material in the case diary, which *prima facie* do not directly implicate the petitioners and also since charge-sheet has already been submitted, we are of the view that further custodial detention of the petitioners is not necessary.

Accordingly, we direct that the petitioners, namely, **Amrita Biswas, Anubrata Biswas and Haradhan Biswas**, shall be

released on bail upon furnishing a bond of Rs.10,000/- each, 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 and on further conditions that they shall not leave 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 petitioners shall appear before the trial 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 petitioners fail to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this court.

The application for bail is, accordingly, allowed.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)