

16.09.2021
Item no. 18
Court No.32.
S.De.
(Allowed)

(Via Video Conference)

CRM 4734 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.07.2021 in connection with Bhimpur Police Station Case No. 42 of 2021 dated 26.02.2021 under Sections 341/325/307/34 of the Indian Penal Code.

And

In the matter of : Nidhiram Mallick.

.....Petitioner.

Mr. Pradyat Saha, Advocate,

.....for the Petitioner.

Ms. Zareen N. Khan, Advocate,
Ms. Sreeparna Das, Advocate,

.....for the State.

The petitioner is one of several accused persons. The charge is of causing grievous bodily harm and attempt to murder the victim. The petitioner says that he has been falsely implicated.

We have seen the statements of witnesses in the case diary. We have seen the injury report. The injury is not serious. The petitioner is 72 years old. He is in custody for about 124 days. Charge-sheet has been submitted after completion of investigation.

On an overall assessment of the material on record and the possible extent of complicity of the petitioner in the

alleged offence, we are of the view that further custodial detention of the petitioner is not necessary.

Accordingly, we direct that the petitioner namely **Nidhiram Mallick** 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 Chief Judicial Magistrate, Nadia at Krishnagar and on further conditions that he shall remain within the jurisdiction of the concerned police station and he 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.)