

04.10.2021
Serial no. 33
Dd

(Through Video Conference)

CRM 6632 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Chapra** Police Station Case No. **1 of 2020** dated **3rd January, 2020** under **Sections 302/201/120B** of the Indian Penal Code read with Sections 25(i)(a)/27 of the Arms Act, 1959.

-And-

In the matter of : Biswajit Dhar @ Fachke

... ..Petitioner

Mr. Shibaji Kumar Das, Advocate
... .. For the Petitioner

Mr. Nguive Ahmed, Id. APP
Ms. Amita Gaour Advocate
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 624 days. There is no material against the petitioner. In any event, the petitioner stands on a different footing than the principal accused. Since the police submitted charge sheet further detention of the petitioner is not required.

State is represented.

Considering that the petitioner stands on a different footing as that of principal accused, Maidul Sk. @ Mahidul Sk. and considering the period of detention and the fact that the police submitted charge sheet, we are inclined to grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000- (Rupees Ten Thousand only) with two sureties of like amount each, one

of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia, Krishnagar subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.

In the event, the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The prayer for bail is **allowed**.

CRM 6632 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)