

Sr. 16
22-12-2021
Subha.
Court no. 34
Bail allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRM 8705 of 2021

In the matter of : **Manik Karikar @ Ansari**petitioner.

In Re : An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Chapra Police Station Case No. 450 of 2021 dated 13.10.2021 under Sections 341/323/325/308/354/34 of the Indian Penal Code, 1860.

Mr. Subir Ganguly
Mrs. Jyotsna Roy Mukherjee
.....for the petitioner.

Mr. Ashoke Das
...for the State.

Liberty is granted to the learned advocate for the petitioner to amend the cause title.

Mr. Subir Ganguly, learned advocate appearing for the petitioner submits that the petitioner was arrested on 13th October, 2021 in connection with Chapra P. S. Case No. 450 of 2021 dated 13.10.2021 under Sections 341/323/325/308/354/34 IPC and till date, chargesheet has not been submitted by the Investigating Officer.

Report so submitted by the Officer-in-Charge, Chapra P.S through the learned advocate for the State be kept with the record.

Mr. Ashoke Das, learned advocate appearing for the State was directed to seek clarification from the Investigating Officer of the case.

Mr. Das, learned advocate for the State categorically stated before this court today that the Investigating Officer has instructed him that chargesheet has not yet been submitted before the jurisdictional court.

Mr. Das, learned advocate for the State also points out that in the case diary chargesheet is also not available.

In view of the period of detention of the petitioner since 14th October, 2021, the statutory period as envisaged under Section 167 of the Code of Criminal Procedure has expired and as such, the petitioner is *entitled to be released on default bail*.

Accordingly, the petitioner shall be released on bail on such terms and conditions as the *learned Chief Judicial Magistrate, Nadia* at *Krishnagar* thinks fit and proper.

With the aforesaid observations, the application for bail being CRM 8705 of 2021 is allowed.

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

(Tirthankar Ghosh, J.)