

29.01.21 In re: An application for bail under Section 439 of the Code of Criminal Procedure
(S.R.) filed in connection with **Balurghat** Police Station **Case No.142 of 2020** dated
Sl.19 **17.04.2020** under Sections **341/323/325/326/34** of the Indian Penal Code added
Ct.28 Section **307** of the IPC (G.R. Case **No.341 of 2020**);

And

In re: Narayan Debnath

... petitioner.

Mr. Kaushik Choudhury
Mr. Busra Khatoon

... for the petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

...for the State.

Mr. Choudhury, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the alleged offence upon filing a complaint about two months after the incident. Upon completion of investigation charge sheet has also been submitted and as such, further detention of the petitioner, who is in custody for 249 (two hundred forty nine) days, is not necessary.

Ms. Ghosh, learned advocate appearing for the State opposes the petitioner's prayer for bail and submits that there are materials on record disclosing the petitioner's involvement in the alleged offence.

Having heard the learned advocates and considering the materials in the case diary, the injury report and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that further detention of the petitioner is not warranted.

Accordingly, the petitioner, namely, **Narayan Debnath**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Dakshin Dinajpur and on a further condition that the petitioner shall attend the learned trial court on the dates fixed for hearing.

The petitioner shall also stay outside the jurisdiction of the Balurghat Police Station save and except on the dates fixed for hearing before the learned trial court and shall inform the address where he would be residing to the investigating officer of the case.

Accordingly, the application for bail being CRM No.10983 of 2020 is allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)