

29.01.2021
Court No.28
rpan / 21

C.R.M. 10994 of 2020
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Khejuri P.S. Case No.273 of 2020 dated 28.10.2020 under Sections 448/376 of the Indian Penal Code.

And

In Re : **Ganesh Maity**
...Petitioner.

Sk. Sahjahan Ali
... for the petitioner.
Ms. Sukanya Bhattacharya,
Md. Kutubuddin
... for the State.

The learned advocate appearing for the petitioner submits that on the basis of a complaint lodged by the *de facto* / complainant, who is a widow, the petitioner has been implicated. In the records no overt act had been attributed to the petitioner. Upon completion of investigation, charge sheet has also been submitted and as such, further detention of the petitioner, who is in custody for 93 days, is not required.

The learned advocate appearing for the State opposes the petitioner's prayer.

Having heard the learned advocates appearing for the parties and considering the materials in the case diary, the statement of the *de facto* / complainant, recorded under Section 164 of the Code of Criminal Procedure 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, we direct that the petitioner 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 Additional Chief Judicial Magistrate, Contai, Purba Medinipur and on further conditions that the petitioner shall attend the trial court on the dates fixed for hearing and shall not enter into the jurisdiction of Khejuri Police Station, save and except on the dates fixed for hearing before the learned trial court. The petitioner shall also intimate his address where he would be residing to the Officer-in-Charge, Khejuri Police Station.

With the aforesaid observations, the application for bail, being CRM No. 10994 of 2020, is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)