

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

**CRM 378 of 2021
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Pradhan Nagar Police Station Case No.395 of 2019 dated 08.08.2019 under Section 304 of the Indian Penal Code.

And

In the matter of: Uday Chhetri

.... Petitioner

Ms. Shreyashee Paul.

... For the Petitioner

Mr. Ujjwal Luksom,
Mr. Sagnik Sankar Sikdar.

... For the State

Learned counsel for the petitioner submits that there is no clinching evidence against the petitioner to implicate the petitioner under Section 304 of the Indian Penal Code. The deceased person, it is submitted, was suffering from withdrawal syndrome while under treatment in a centre, where the petitioner is a staff.

Learned counsel for the State opposes the prayer for bail.

However, it appears from the materials that there is sufficient scope of doubt as to whether the petitioner was directly or indirectly connected to the alleged offence. Accordingly, CRM 378 of 2021 is allowed, thereby granting bail to the petitioner, namely, Uday Chhetri, on condition of furnishing security of Rs.5,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri. The

petitioner shall not, directly or indirectly, issue any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the court or to any police officer or tamper with the evidence. The petitioner shall report once in a month to the investigating officer and shall not leave the territorial jurisdiction of the concerned police station till the commencement of the trial.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)