

23.03.2022

Serial no. 97

[Dd]

(Bail **allowed**)

CRM (DB) 438 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Taldangra** Police Station Case No. **85** of **2021** dated **31st October, 2021** under Sections **341/325/302/506/120B** of the Indian Penal Code corresponding to G.R. no. **520 of 2021**.

-And-

In the matter of : Biswajit Chakraborty

... .. Petitioner

*Mr. Sourav Chatterjee,
Ms. Somsubhra Ganguly, Advocate
Mr. Abhishek Chakraborty,
... .. For the Petitioner*

*Mr. Saibal Bapuli, Id. APP
Mr. Bibaswan Bhattacharya, Advocates
... ..For the State*

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 143 days. The police filed charge sheet. Therefore, further detention of the petitioner is not required. No overact can be attributed to the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the Statement of Nomita Roy recorded under Section 161 of the Criminal Procedure Code.

In her statement recorded under Section 161 of the Criminal Procedure Code she does not attribute any overact to the petitioner in the incident.

Considering the period of detention of the petitioner and considering the fact that the police filed charge sheet

and considering the materials in the case diary, 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 Additional Chief Judicial Magistrate, Khatra, Bankura** 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 of the petitioner is **allowed**.

CRM (DB) 438 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)