

13.06.2022
tkm/ct 28
sl no. 48

C.R.M. (DB) 1592 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bongaon P.S case no. 855 of 2013 dated 26.11.2013 under section 498A/302/120B/34 IPC and 3/4 of the DP Act

And

Allowed

In Re : Mrinmoy Chandan Dutta @ Tubai petitioner

Mr. Soubhk Mitter
Mr. L Maitra
Mr. K. K Bhattacharjee
Ms. R Das

..... for the petitioner

Ms. Faria Hossain
Mr. Anan Keshari

..... for the State

It is submitted that the petitioner is suffering from mental retardation and schizophrenia and is under continuous medical treatment. As a consequence he is unable to understand the proceeding and participate in the trial. Notwithstanding such fact, petitioner was directed to be personally present in court and has been taken into custody.

Learned lawyer for the State opposes the prayer for bail.

We have considered materials on record including the medical papers. Prima facie, it appears that the petitioner is suffering from medical illness and is under continuous treatment.

In view of the aforesaid facts and circumstances of the case, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Bongaon, North 24 Pgs on condition that the petitioner

shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

The application being CRM (DB) 1592 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)