

14.07.2022
Sl. No.29
akd
[ALLOWED]

C. R. M. (DB) 2309 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.07.2022 in connection with Ranaghat Women Police Station Case No. 60 of 2022 dated 21.05.2022 under Sections 448/376/511/324/34 of the Indian Penal Code.

And

In Re: ***Sambhu Biswas***

... .. Petitioner

Mr. Sayan De
Mr. Sayan Kanjilal
Mr. Kaustuv Shome

... .. for the petitioner

Mr. Binay Panda
Mrs. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 49 days. It is further submitted there is a dispute amongst neighbours and petitioner has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner has criminal antecedents.

We have considered the materials on record. Petitioner was accused of similar offence earlier. He further contends he is being harassed by institution of false cases due to quarrels with his neighbours. Keeping in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner and the period of detention suffered by him, we are of the opinion though further detention of the accused/petitioner is not necessary, his movement requires to be restricted in order to prevent commission of similar offence.

Therefore, the accused/petitioner, namely **Sambhu Biswas**, 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, Ranaghat, Nadia subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future and on further condition that the petitioner, while on bail, shall not enter the jurisdiction of Ranaghat Women Police Station except for the purpose of investigation and/or for attending court proceedings and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the concerned police station within whose jurisdiction he shall presently reside once in a week until further orders.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)