

02.08.2022  
cm/ct 28  
sl no. 33

**C.R.M. (DB) No.2574 of 2022**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Nabadwip P.S Case No. 289 of 2020** dated **11.08.2020** under Sections **399/402** of the Indian Penal Code ,1860.

And

**Allowed**

In Re : Biswajit Halder @ Shaheb @ Saheb Dhar  
..... petitioner

Mr. Atis Kumar Biswas  
Mr. Amit Singh  
Ms. Jyoti Agarwal

..... for the petitioner

Mr. Saibal Bapuli, Ld. A.P.P.  
Mr. Arani Bhattacharyya

..... for the State

Learned lawyer for the petitioner submits he was granted pre-arrest bail by this court in CRM(A) 740 of 2022. Due to circumstances beyond his control, he was unable to appear before the jurisdictional court and pray for regular bail within four weeks. Subsequently he was shown arrested in the present one. He is in custody for 72 days.

Learned lawyer for the State opposes the prayer for bail. He submits petitioner has criminal antecedents.

We have considered the materials on record. No recovery was made from the petitioner. Keeping in mind the facts and circumstances of the case and period of detention suffered by the petitioner i.e. 72 days, we are inclined to grant bail to the petitioner subject to strict conditions.

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 Additional Chief Judicial Magistrate, Nabadwip, Nadia on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on condition petitioner shall meet the officer-in-charge of Nabadwip Police Station once in a week or until further orders.

In the event petitioner 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 being CRM (DB) No. 2574 of 2022 is disposed of.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**