

18.08.2022.

11.

Ct.No.28.

as

(Allowed)

C.R.M. (DB) 2613 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gaighata P. S. Case No.806 of 2021 dated 07.09.2021 under Sections 302/201/120B of the Indian Penal Code.

In the matter of : Bablu Sardar.

.... Petitioner.

Mr. Mrinal Kanti Mukherjee.

...for the Petitioner.

Mr. Ranabir Ray Chowdhury,
Mr. Mainak Gupta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Investigating Officer is present. He submits report.

From the report it appears proceedings under Section 107 of the Code of Criminal Procedure being N.C.R.Nos.906 and 907 both dated 05.12.2021 were initiated pursuant to the general diaries lodged by the de-facto complainant. No independent enquiry was conducted with regard to the truthfulness of the said allegations.

In view of the aforesaid fact, we are of the opinion further detention of the petitioner is not necessary but his movement requires to be restricted in order to instill confidence in the mind of the de-facto complainant and other witnesses.

Accordingly, the petitioner shall 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, Bongaon, North 24-Paraganas subject to condition that he 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 and on further condition that the petitioner shall remain outside the jurisdiction of Gaighata Police Station except for the purpose of attending court proceeding and shall provide the address where he shall presently reside to the Investigating Officer as well as the court below and shall report to the concerned officer-in-charge within whose jurisdiction he shall reside while on bail once in a week until further orders.

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 his bail in accordance with law without further reference to this Court.

Personal appearance of the Investigating Officer is noted and dispensed with.

This application for bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)