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C.R.M. (SB) 200 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Kaliganj Police Station Case No.84 of 2012 dated 22.02.2012 under Sections 341/325/308/34 of the Indian Penal Code;

Bisu @ Biswanath Das and another  
Versus  
The State of West Bengal

Mr. Arnab Chatterjee,  
Mr. Amanul Islam,  
Mr. Sourav Mukherjee.  
...for the petitioners.

Mr. Tanmay Kr. Ghosh,  
Mr. Aindam Sen.  
...for the State.

Report submitted by the learned advocate for the State be kept with the record.

Pursuant to the order dated 22.08.2022 the case of the petitioners and others who are appearing have been segregated and committed to the learned Sessions Judge.

The petitioners are in custody for more than three months.

Having regard to the period of detention of the present petitioners and no possibility of trial concluding within a short period of time, I am of the opinion that further detention of the petitioners are unwarranted.

Accordingly, the prayer for bail of the petitioners are allowed. The petitioner no.1, namely, Bisu @ Biswanath Das and the petitioner no.2, namely, Dhiren Das shall be released on bail

upon furnishing bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnagar.

The following conditions should be complied with by the petitioners after being released on bail.

1. The petitioners shall meet with the Officer-in-Charge or any Officer delegated by him of Kaliganj Police Station once in a week until further orders.
2. If there is any change of address or the address at which the petitioners would reside would be informed to the learned CJM, Nadia at Krishnagar. The said address would also be informed to the Officer-in-Charge of Kaliganj Police Station.
3. The petitioners shall make themselves available on each and every date on which the trial is fixed before the learned sessions court.

In addition to the condition no.3, the petitioners would appear once in a fortnight before the learned trial court and obtain an acknowledgement from the officer deputed by the learned court.

Any violation in the aforesaid conditions apart from the usual condition of not to tamper with the evidence would entitle the learned trial court to cancel the bail of the petitioners without further reference to this Court.

Accordingly, CRM (SB) 200 of 2022 is allowed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Tirthankar Ghosh, J.)**