

CRM 8303 of 2021
(via video conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Ratan Das

.....Petitioner

Ms. Sananda Bhattacharyya

.....for the Petitioner

Md. Anwar Hossain

Ms. Ratna Ghosh

.....for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Ranaghat P.S. Case No. 333 of 2021 dated October 3, 2021 under Sections 341/326/506/307/34 of the Indian Penal Code.

Ms. Bhattacharyya, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. He has already suffered long incarceration for a period of about 109 days. Upon completion of investigation, charge sheet has already been submitted and as such, further detention is not warranted.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses and the injury report.

Having heard learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of accusations, the nature of injury and the extent of complicity of the petitioner in the alleged offence, we are of the

opinion that further detention of the present petitioner is not necessary moreso when upon completion of investigation, charge sheet has already been submitted.

Accordingly, we allow this application and direct that the petitioner, namely, **Ratan Das**, 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 a local, to the satisfaction of the learned Additional District & Sessions Judge, Ranaghat, Nadia. The petitioner shall attend the learned Court below on all the dates, as specified for hearing and shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

With the aforesaid observations, the application for bail, being CRM No. 8303 of 2021, is disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)