

CRM 8766 of 2021
(via video conference)

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

And

In Re : Ripan Biswas

.....Petitioner

Ms. Sananda Bhattacharyya

.....for the Petitioner

Mr. Santanu Deb Roy

.....for the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Santipur P.S. Case No. 304 of 2021 dated May 22, 2021 under Sections 341/326/307/34 of the Indian Penal Code.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It, *prima facie*, appears from the statement of the injured person, as recorded under Section 161 of the Code, that specific overt act has been attributed to one Mohan Roy @ Mohon Roy @ Bapan and he is the principal accused. He has already been granted bail by a coordinate Bench of this Court. In view thereof, we are of the opinion that further detention of the petitioner, who is in custody for about 206 days, is not warranted, moreso when, upon completion of investigation, charge sheet has been submitted.

Accordingly, we allow this application and direct that the petitioner, namely, **Ripan Biswas**, 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 Sessions Judge, Fast Track Court, 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. 8766 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.)