

08.12.2022  
S/L No.4  
KS

**C.R.A.(SB) 161 of 2022**  
**Gopal Dey**  
**-Vs.-**  
**The State of West Bengal & Anr.**

In Re: An application for bail under Section **14A(2)** of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Mr. Soumyajit Das Mahapatra  
..... For the Appellant  
Mr. Arijit Ganguly  
Mr. Avik Ghatak  
.....For the State

The appellant was earlier released on bail but, the said bail was subsequently cancelled by the Learned Special Court and the appellant is in custody for more than 80 days.

I have perused the letter of complaint which has been treated as First Information Report of the instant case. There are disputes between the complainant and the present appellant/petitioner and it reveals that they are related to each other.

None appeared on behalf of the de facto complainant.

Affidavit of service reflects that the address which was available in the First Information Report was there in the envelope, however, the Postal Authority could not trace out the complainant.

Mr. Arijit Ganguly, learned advocate appears on behalf of the State and opposes the prayer for bail.

I have considered the period of detention of the present appellant/petitioner and having regard to the nature of the offence committed, I am of the opinion that the appellant/petitioner should be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Special Court i.e. Learned Additional Sessions Judge, 1<sup>st</sup> Court, Paschim Medinipur. If on bail, the appellant/petitioner shall stay outside the jurisdiction of Kharagpur Town Police Station. The appellant/petitioner shall physically appear before the Court on each and every date fixed for trial. The appellant/petitioner shall inform the Investigating Officer/Officer-in-Charge of the Kharagpur Town Police Station as well as the Learned Special Court regarding the address as to where he is staying. Any change of address would be immediately informed to the Learned Special Court and the Inspector-in-Charge/Officer-in-Charge of Kharagpur Town Police Station. If there is any violation of the condition of bail, the Learned Special Court would be at liberty to cancel the bail without further reference of this Court.

Accordingly, C.R.A.(SB) 161 of 2022 is disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

**(Tirthankar Ghosh, J.)**