

23.12.2022

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Allowed

C.R.M. (DB) No. 4587 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 353 of 2022 dated 21.04.2022 under Sections 302/34 of the Indian Penal Code and charge-sheet submitted under Sections 279/427/304 of the Indian Penal Code.

And

In Re : Subhankar Biswas @ Chotomoni petitioner

Mr. Prabir Majumder
Mr. Snehansu Majumder

.....for the petitioner

Ms. Zareen N. Khan
Mr. Arup Sarkar

....for the State

Liberty is granted to correct the cause title.

Learned Counsel appearing for the petitioner submits he is in custody for 214 days. It is also submitted that there is no progress in the matter since rejection of bail by this Court. He prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail.

We have considered the materials on record. There is little progress in the matter since rejection of bail by this Court.

Under such circumstances, we are inclined to grant bail to the petitioner, however, subject to strict conditions.

Accordingly we direct that the petitioner shall 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, on conditions that he shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing and on further conditions that the petitioner shall not enter the jurisdiction of Santipur Police Station except for the purpose of attending court proceedings and shall provide the address where they shall presently reside to the said officer-in-charge as well as court below and shall report to the officer-in-charge of Ranaghat Police Station within whose jurisdiction they shall presently reside once in a week until further orders.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)