

13-02-2023
Subha
Item no.01
bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side

CRM (SB) 29 of 2023

SelimSk @ Selim Reja & Anr.

-vs-

The State of West Bengal

In Re: An application for bail under Section 439 of the code of Criminal Procedure, 1973 filed on 25th January, 2023 in connection with in connecting with Lalgola Police Station Case No. 296 of 2022 dated 02.09.2022 under Sections 341/324/325/308/34 of the Indian Penal Code corresponding to G. R. Case No. 2589 of 2022.

Mr. Dhanajay Banerjee
Mr. Abdur Rakib
Mr. Biswajit Sarkar

...for the petitioners.

Mr. S. S. Imam
Mr. S. Kundu

... for the State.

Learned advocate appearing for the petitioners submits that the petitioners surrendered before the jurisdictional court and are in custody for about 34 days.

It has also been submitted that chargesheet has already been submitted in connection with the instant case. As such, further detention of the petitioners may not be warranted in connection with the instant case.

Mr. Kundu, learned advocate appearing for the State draws the attention of the court to the injury report which includes the involvement of the present petitioners and their complicity. Report submitted by the SI of Police, Lalgola PS, Murshidabad PD through the learned advocate for the State be kept with the record.

Having considered the period of detention of the present petitioners and the fact that chargesheet has already been submitted, I

am of the opinion that further detention of the petitioners is unwarranted. As such, the prayer for bail of the present petitioners is allowed.

Accordingly, the petitioners shall furnish a bond of Rs.10,000/-(Rupees ten thousand only) each with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the Learned Additional Chief Judicial Magistrate, Lalbag, Murshidabad on the following conditions:-

While on bail, the petitioners would abide by the following conditions :-

1. The petitioners after being released shall stay outside the jurisdiction of Lalgola Police Station and inform their place of residence to the Officer-in-Charge, Lalgola P.S.
2. The petitioners shall enter the said jurisdiction only for meeting with the Officer-in-Charge of Lalgola Police Station once in a week until further orders of this court.
3. The petitioners shall be physically present on each and every date fixed by the learned Magistrate or the trial court in seisin of the matter.
4. In case the petitioners travel outside the District of Murshidabad, they shall inform the learned A.C.J.M, Lalbag or the Officer-in-Charge of the concerned Police Station and the same would be granted after furnishing details regarding their place of visit and time of return.
5. If there is any change of address, the petitioners shall inform to the learned A. C. J. M, Lalbag as well as the Officer-in-

Charge of the concerned Police Station.

In the alternative, in case of violation of the any of the conditions, the learned Additional Chief Judicial Magistrate, Lalbag will be entitled to cancel the bail of the petitioners without any further reference to this court.

Accordingly, the present application for bail being CRM(SB) 29 of 2023 is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]