

08.02.2023
SI. No.48
akd
[ALLOWED]

C. R. M. (DB) 504 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.02.2023 in connection with Ranaghat Police Station Case No.678 of 2022 dated 23.09.2022 under Sections 195A/448/323/325/354B/379/504/506/34 of the Indian Penal Code.

And

In Re: **Subir Durlav**

... .. Petitioner

Mr. Pinak Mitra

Ms. Sananda Bhattacharyya

... .. for the petitioner

Mr. Iqbal Kabir

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 50 days. It is further submitted petitioner has been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There is delay in lodging FIR. In view of the aforesaid fact and the period of detention suffered by the petitioner, we are of the opinion though further detention of the accused/petitioner is not necessary, his movement requires to be restricted in order to instil confidence in the minds of the de-facto complainant and witnesses.

Therefore, the accused/petitioner, namely **Subir Durlav**, 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 subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any

manner whatsoever and on further condition that the petitioner, while on bail, shall not enter the jurisdiction of Ranaghat Police Station except for the purpose of attending court proceedings and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the police station concerned within whose jurisdiction he 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 automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)