

June 28, 2023
AD – 10
Ct. 34
SG

CRM(SB) 123 of 2023

In Re. An application of bail under Section
439 of the Code of Criminal Procedure
In connection with Jhargram All Women
Police Station Case No.121 of 2020.

In the matter of:

Birendranath Mahata
-versus-
The State of West Bengal

Mr. Samiran Mandal
Mr. Abhinaba Dan

... for the petitioner.

Mr. Binay Panda
Ms. Puspita Saha

... for the State.

Petitioner submits that the petitioner's relationship with the complainant happens to be father-in-law and daughter-in-law.

According to the learned advocate for the petitioner, the petitioner is in custody for 49 days, charge-sheet has already been submitted and as such he submits that on any condition the petitioner may be released on bail.

On the other hand, State opposes the prayer for bail and submits that the anticipatory bail of the petitioner was rejected in the year 2021.

I find that at the stage when anticipatory bail was considered, the investigation was continuing under Section 313 IPC which was the subject matter of investigation but

subsequently in the charge-sheet such section has been omitted.

Having considered the same, I am of the view that further detention of the petitioner is unwarranted.

Accordingly, the petitioner namely Birendranath Mahata is released on bail subject to furnishing bond of ₹10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Jhargram. If on bail, the petitioner would regularly attend the court as and when directed.

Accordingly, CRM(SB) 123 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order be immediately made available to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)