

17.11.2023.
34.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 4183 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanditala P.S. Case No.620 of 2023 dated 12.08.2023 under Sections 323/325/341/406/420/467/468/471/474/506/120B/34 of the Indian Penal Code.

In the matter of : **Biswajit Arosh @ Bishwajit Arush.**
.... Petitioner.

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. Sourov Mondal.

...for the Petitioner.

Mr. Joydeep Roy, Id. Jr. Govt. Adv,
Ms. Sujata Das.

...for the State.

1. Petitioner contends over the self-same dispute two criminal cases were registered. He is on bail in one of the cases. He prays for bail in the present case also.
2. Learned Advocate for the State opposes the prayer for bail. She contends investigation is in progress.
3. We have considered the materials on record. Dispute relates to alleged transfer on the basis of a forged deed. Over the self-same issue, another criminal case was registered and the petitioner is on bail.
4. Under such circumstances, we are of the opinion further detention of the petitioner for progress of investigation is not necessary and he may be enlarged on bail.
5. Accordingly, the petitioner viz., **Biswajit Arosh @ Bishwajit Arush** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one

of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Serampore, Hooghly subject to condition that he 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.

6. In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)