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***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM (DB) 71 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.01.2023 in connection with Pradhan Nagar Police Station Case No. 196 of 2021 dated 05.04.2021 under Sections 376D/354 of the Indian Penal Code.

In the matter of : Satyaki Chakraborty
... petitioner

Mr. Sandeep Dutta
...for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Kallol Nag
.....for the State.

The petitioner, being a medical practitioner, as it appears from the facts of the case and as per the initial complaint, was not a direct participant in the alleged offence. However, subsequently, by way of some embellishment to the original version, the statements under Sections 161 and 164 of the Code of Criminal Procedure apparently implicate the petitioner on certain grounds as well.

That apart, the complaint was lodged after four days of the alleged incident.

Moreover, the charge sheet has already been filed after the investigation was over.

Heard learned counsel for the State, who opposes the prayer for bail.

Although the principal accused is still in custody after his bail having been refused once, we find sufficient grounds to grant bail to the petitioner in view of the reasons indicated above.

Accordingly, CRM (DB) 71 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish a bond of Rs. 10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri. The petitioner shall not leave the territorial jurisdiction of the trial court during the entire period of trial and shall attend each and every date of trial. Moreover, the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the court or to any police officer or tamper with evidence in any manner whatsoever.

CRM (DB) 71 of 2023 is, accordingly, disposed of.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)