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

CRM (DB) 87 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.01.2023 in connection with Dhupguri Nagar Police Station Case No. 162 of 2021 dated 25.04.2021 under Sections 447/323/302/34 of the Indian Penal Code.

In the matter of : Sadhan Bairagi

... petitioner

Mr. Sudip Guha

...for the petitioner

Mr. Aditi Shankar Chakraborty,
Mr. Sourav Ganguly

.....for the State.

The petitioner has been in custody for about one year and nine months. As yet, only the charge sheet has been filed but the trial has not begun. Out of the five accused persons, four are on bail.

Learned counsel appearing for the State opposes the prayer for bail.

Although the petitioner is the principal accused, keeping in view the fact that the charge sheet has already been submitted as well as the fact that the petitioner is in custody for some time and the trial has not yet started, we are inclined to grant bail to the petitioner.

Accordingly, CRM (DB) 87 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner shall furnish a bond of Rs. 20,000/- (Rupees Twenty Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri. 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) 87 of 2023 is, accordingly, disposed of.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)