

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

25.08.2023
Court No.1
Item. 18
(Suvendu)

CRM(DB) 471 OF 2023

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Siliguri Police Station Case No. 499 of 2023 dated 25.06.2023 under Sections 341/326/307/506/34 of the IPC.

And

In the matter of: Jhantu Saha

.Petitioner.

Mr. Sandip Mandal
Mr. Somnath Saha

For the Petitioner.

Mr. Abhijit Sarkar
Mr. Chattu Roy

For the State.

1. It is submitted on behalf of the accused petitioner that the petitioner has been falsely entangled with the alleged offence. It is further submitted that the defacto complainant filed an affidavit regarding compromise of the case before the learned trial court. It is further submitted that the accused has been in custody since 62 days and further requirement of the accused behind the bar is not required.

2. Learned counsel appearing for the State draws our attention about the medical report as well as the seizure list prepared by the investigating agency at the time of hearing.

3. We have considered the submissions advanced by both the parties.

4. From the medical report it appears that the injury sustained by the accused petitioner is simple in nature.

5. Considering the entire material, we are inclined to grant the prayer for bail.

6. We accordingly direct that the petitioner shall 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 who must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliiguri. The petitioner shall not induce witnesses or influence them or tamper with the evidence. The petitioner shall report to the I.O. of the concerned Police Station once every fortnight and shall not leave the local limits of the local police station without leave of the learned ACJM, Siliguri. The petitioner shall also make himself available for the trial as and when the petitioner is required.

7. CRM(DB) 471 of 2023 is accordingly allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)

