

AD-9
Ct No.01
Jalpaiguri
13.09.2023
SP

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (DB) 483 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **16.08.2023** in connection with **Special** Case POSCO 8 of 2021 arising out **of Sitalkuchi** Police Station Case No. **54** of **2021** dated **23.03.2021** under Section **363/365 of the IPC, 1860.**

And

In the matter of: SUDHIR BARMAN

.... petitioner

Mr. Arijit Ghosh

Mrs. Swarnali Ghosh

... for the petitioner

Mr. Aditi Shankar Chakraborty

Mr. Sagnik Sankar Sikdar

... for the State

1. The petitioner argues through counsel that the medical report did not corroborate the offence alleged against the petitioner under Section 6 of the POSCO Act. That apart, the petitioner is already in custody for 900 days.
2. Learned counsel for the State opposes the prayer for bail. However, in view of the mitigating circumstances, as established prima facie by the petitioner in terms of the above arguments, we are inclined to grant bail.
3. Accordingly, CRM (DB) 483 of 2023 is allowed, thereby granting bail to the petitioner on condition that the petitioner

shall furnish a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Special Court POSCO Act, Mathabhanga.

4. The petitioner shall attend each and every day of trial and shall not leave the territorial jurisdiction of the trial court throughout the period of trial.
5. Moreover, the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts and circumstances of the case so as to dissuade such person from disclosing such facts to any police officer or the court and/or tamper with the evidence in any manner whatsoever.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)