

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

11.10.2023.
3/pm

C.R.M.(DB) 632 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed on 06.10.2023 in connection with Kotwali P.S case No. 710 of 2023 dated 18.09.2023 corresponding to G.R. Case No. 4947 of 2023 under Section 304 of the Indian Penal Code.

Allowed

In Re : Sri Siddharth Gandhi. petitioner

Mr. Rajdeep Majumder,
Mr. Avrojoyti Das
Ms. Pratusha Dutta Chowdhury,
Mr. Radhika Agarwal,
Mr. Rajdeep Das

..... for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Kallol Nag,

..... for the State

Heard learned advocates appearing for the parties.

This is an application for bail under Section 439 of the Code of Criminal Procedure.

The case of the petitioner is that on 18th September, 2023 at around 6 p.m. there was an altercation between the accused/petitioner and the victim (now deceased). It is the case of the petitioner that the victim at the time of altercation was in a drunken condition and was provoking the petitioner by beating his dog and out of this provocation petitioner without any mal-intention gave just one blow and unfortunately the victim fell on a stone which caused the death of the victim and whole incident has been recorded in the CCTV Camera and the footage of the same has already been produced before this

Court and this Court has looked into that. According to the petitioner there is no history of any past enmity between the accused person and the victim and the petitioner is a local resident working in the same factory where victim was working.

We are of the view that further detention of the accused/petitioner will not serve any purpose since the accused/petitioner is ready and willing to cooperate with the investigation and to make himself available every time as and when he is required either before the Investigating Officer or before the Court concerned.

We allow this application for bail on the following terms and conditions : -

1. Petitioner may find bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of equal amount subject to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri.
2. Petitioner shall meet the Investigating Officer once in a week until further order of this Court.
3. Petitioner will make himself available before the Court concerned on every date.
4. Without the leave of the Court of Ld. Chief Judicial Magistrate petitioner shall not leave the jurisdiction of the said Court.

In case of non-compliance of any of the conditions indicated herein above the Ld. Court concerned shall be at liberty to cancel the bail of the

petitioner in accordance with law, if it is so approached by the State.

With these above observations and direction this application being CRM (DB) 632 of 2023 stands disposed of.

(Partha Sarathi Chatterjee,J.)

(Md. Nizamuddin, J.)