

22.11.2023

Serial no.5

Court No.1

(CHC)

(Allowed)

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

CRM (DB) 658 of 2023

*In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Sitalkuchi** Police Station Case No. **326 of 2023** dated **08.10.2023** under Sections **341/326/307** of the Indian Penal Code, 1860.*

-And-

In the matter of : **Jayanta Ghosh**

... .. Petitioner

Mr. Hillol Saha Poddar, Advocate

Ms. Mousumi Das, Advocate

... .. For the Petitioner

Mr. Nilay Chakraborty, Advocate

Ms. Sukanya Adhikary, Advocate

... ..For the State

Petitioner prays for bail.

Petitioner is in custody for 41 days.

Apparently, the victim suffered grievous hurt.

Apparently, the victim was assaulted by a wooden baton leading to right arm of the victim suffering fracture. Moreover, the victim also suffered injury on his head at the frontal lobe.

Considering the period of detention of the petitioner and the nature of injury suffered by the victim, we grant bail to the petitioner.

Accordingly, we 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 whom must be local, to the satisfaction of the **Learned Additional Chief Judicial Magistrate, Mathabhanga**, subject to condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and on further condition that petitioner will reside out the jurisdiction of the local police station still the conclusion of investigation and petitioner will supply the new address to the jurisdictional Court as also to the Investigating Officer and petitioner will report before the Investigating Officer once in a week and for such period he will be entitled to enter into the jurisdiction of the local police station.

In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.

The prayer for bail of the petitioner is **allowed**.

CRM(DB) 658 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)