

24.01.2024.
34.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 200 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dankuni P.S. Case No.360 of 2023 dated 24.11.2023 under Sections 341/323/325/307/379/504/506/34 of the Indian Penal Code.

In the matter of : **Ramjan Mondal.**

.... Petitioner.

Mr. Kaushik Chandra Gupta.

...for the Petitioner.

Ms. Mamata Jana.

...for the State.

1. Petitioner is in custody for 45 days. It is submitted he has been falsely implicated. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner and others had illegally set up a shop on the land of the de-facto complainant. When he objected, they had assaulted him. Medical report shows the de-facto complainant suffered injuries on the head. However, whether the injuries are life threatening requires to be assessed during trial. Petitioner is in custody for 45 days.
4. Under such circumstances, we are of the opinion further detention of the petitioner for progress of investigation may not be necessary but his movement requires to be restricted in order to prevent similar offences.
5. Accordingly, the petitioner viz., **Ramjan Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local,

to the satisfaction of the learned Additional Chief Judicial Magistrate, Serampur, Hooghly subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall not enter the jurisdiction of Dankuni Police Station except for the purpose of court proceeding and shall provide the address where he shall reside to the Investigating Officer as well as the court below and report to the Officer-in-charge of the Police Station concerned within whose jurisdiction he shall reside once in a week until further orders.

6. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

7. This application for bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)