

24.09.2024
Item no.09.
Court No.28.
S. De
(Allowed)

CRM (DB) No. 2038 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Dhantala Police Station Case No. 347 of 2023** dated **12.05.2023** under **Section 306** of the Indian Penal Code.
And

In the matter of : Sishu Das @ Sanju Das.
.....Petitioner.

Mr. Sagar Saha,
Mr. Monojit Debnath,
Mr. Rhitam Chatterjee,for the Petitioner.

Mr. Sandip Chakraborty,
Mr. Debarshi Brahma,for the State.

Dictated by Arijit Banerjee, J.

1. Forensic Report filed by the State be kept with the records.
2. We see from the report that no video has been found in the mobile phone of the petitioner as had been alleged. The petitioner is in custody for more than a year. Investigation is complete and chargesheet has been filed. The allegation is of aiding and abetting the suicide of the victim.
3. On an overall consideration of the facts and circumstances of the case and the material-on-record, we are of the view that further custodial detention of the petitioner is not necessary.
4. Accordingly, we direct that the petitioner, namely,
Sishu Das @ Sanju Das 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, Nadia at Ranaghat and on further conditions that he shall not leave the jurisdiction of the concerned police station and shall report to the Officer-in-Charge of the concerned police station once in a fortnight until further orders.

5. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.
7. The application for bail is, accordingly, allowed.
8. Personal appearance of the Investigating Officer is dispensed with.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)