

CRM (DB) 2158 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chandipur Police Station** Case No. **53 of 2024** dated **18.02.2024** under Sections **302/34** of the Indian Penal Code.

- A n d -

In the matter of : Samiran Bera

.... Petitioner.

Mr. Partha Kumar Mitra,
Ms. S. Ghosh,

... For the petitioner.

Mr. Suman Dey,
Mr. T. Dhali

... For the State.

Mr. Abhinaba Dan,
Mrs.A. Mukherjee,
Ms. S. Datta,

.... For the de facto complainant.

Order dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was rejected on June 10, 2024.
2. The petitioner says that charge sheet has now been submitted upon completion of investigation. The other accused persons have not been charge sheeted. He is in custody for 193 days.
3. Learned Advocate for the State draws our attention to the material in the case diary.
4. We have seen the post mortem report. Prima facie it does not go against the petitioner.
5. On an overall consideration of the facts and circumstance of the case and the materials on record, we are of the view that since investigation is complete, further custodial detention of the petitioner is not necessary.

6. Accordingly, we direct that the petitioner, namely, **Samiran Bera**, 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 Chief Judicial Magistrate, Tamluk, Purba Medinipur 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. The petitioner shall appear before the trial Court on each date of substantive hearing subject to the provision of Section 317 Cr. P.C. and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

7. 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.

8. The application for bail is, accordingly, allowed.

9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)