

01.08.2024.
57.
Ct.No.6.
as
(Allowed)

C.R.M. (DB) 2410 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raina P.S. Case No.58 of 2021 dated 09.03.2021 under Sections 302/394/34 of the Indian Penal Code and Sections 27/35 of the Arms Act.

In the matter of : **Jayanta Kumar Santra.**

.... Petitioner.

Mr. Uday Sankar Chattopadhyay,
Mr. Rajarshree Tah,
Ms. Trisha Rakshit,
Ms. Aishwarya Datta.

...for the Petitioner.

Mr. Rudradipta Nandi, Id. A.P.P.,
Md. Sayeed Khan.

...for the State.

1. Petitioner is in custody for three years. He contends vital witnesses viz., Dipa Ghosh and Sk. Saber Ali have been examined. Accordingly, he prays for bail.

2. Learned Advocate for State opposes the bail prayer.

3. We have considered the materials on record. Vital witnesses have been examined. Dipa Ghosh is not an eye witness and Sk. Saber Ali admitted in cross-examination that the accused had been shown to him in the police station.

4. In view of the nature of evidence and protracted period of detention suffered by the petitioner, we are inclined to grant bail to him.

5. Accordingly, the petitioner viz., **Jayanta Kumar Santra** 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 Chief Judicial Magistrate, Purba Bardhaman 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.

6. In the event the 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)