

18.10.2024
Sl. No.25
PP/BM

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(DB) 3180 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Katwa Police Station Case No.628 of 2024 dated 23.07.2024 under Section 85/316(2)/108/62 of B.N.S., 2023.

And

In the Matter of : Pranab Hazra

.... petitioner.

Mr. Mrinal Das
Mr. Raja Adhikary
Ms. Ruksar Parveen

.....For the petitioner.

Mr. Debasish Ray, Ld. P.P
Mr. Ronit Mukherjee

.....For the State.

1. Learned advocate representing the petitioner submits that the petitioner is in custody for 75 days and there is no need for custodial interrogation. He further submits that the victim has recovered from her injury. He further submits that the victim is residing at her parents' house which may be under the same police station but quite a distance apart from the residence of the petitioner. Considering the period of detention, the petitioner seeks for granting of bail.
2. Learned Public Prosecutor brings to the notice of this Court the recording of statement of the victim girl under

section 183 of Bharatiya Nyaya Sanhita (in short, B.N.S.), 2023 corresponding to section 164 of the Code of Criminal Procedure, 1973.

3. On going through the case diary including the statement of the victim girl, it transpires that the accused is in custody for 75 days and no further custodial interrogation is required at this stage.

4. Let the petitioner be enlarged on bail on the following conditions:

(i) We direct the petitioner to 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, Katwa, Purba Bardhaman.

(ii) The petitioner should meet the Investigating Officer (I.O.) once in a week till submission of the charge sheet and shall not leave the jurisdiction of the local police station without prior consent of the I.O.

(iii) The petitioner shall not make any attempt to visit the victim or try to impress upon the witnesses including the victim.

(iv) The petitioner shall not intimidate the witnesses and tamper with the evidence in any manner whatsoever and shall attend the court on each and every date when the charges are framed and trial commences.

(v) In the event of non-compliance of any of the conditions enshrined above, the trial court shall

be at liberty to cancel the bail without further reference to this Court.

5. The bail application, being CRM (DB) 3180 of 2024, is, thus allowed.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Supratim Bhattacharya, J.) (Arindam Mukherjee, J.)