

07.11.2024
Sl. No.72
akd
[ALLOWED]

C. R. M. (DB) 3254 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 17.09.2024 in connection with Chandipur Police Station Case No.98 of 2023 dated 29.03.2023 under Sections 307/323/325/341/506 of the Indian Penal Code. (G.R. Case No.854 of 2023)

And

In Re: ***Sujit Samanta***

... .. Petitioner

Mr. Navanil De
Mr. Subhrajit Dey

... .. for the petitioner

Ms. Baisali Basu
Ms. Rita Datta

... .. for the State

1. It is submitted on behalf of the petitioner he is in custody for about one year and eight months. It is further submitted victim suffered injury due to accident. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail. She relies on statements of eyewitnesses implicating the petitioner.
3. We have considered the materials on record. Rival versions with regard to cause of injury require to be thrashed out during trial. Trial is in progress. Petitioner is in custody for a considerable period of time. Offences, even if proved, would not attract mandatory life imprisonment. There is no chance of abscondence. Under such circumstances, we are of the opinion further detention of the accused/petitioner is not necessary.
4. Therefore, the accused/petitioner, namely ***Sujit Samanta***, 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 Chief Judicial

Magistrate, Purba Medinipur at Tamluk subject to condition that the said petitioner 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.

5. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

6. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)