

C. R. M. (DB) 3267 of 2024

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 13.09.2024 in connection with Joynagar Police Station Case No.1634 of 2017 dated 29.11.2017 under Sections 498A/302/201/120B of the Indian Penal Code. (G.R. Case No.8232 of 2017)

And

In Re: **Jogaswar Naskar**

... .. Petitioner

Mr. Ramashis Mukherjee

... .. for the petitioner

Mr. Soumik Ganguly
Mr. Dattatreya Dutta

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Petitioner is in custody for over seven years. As per report submitted before this court in *Re: The Court in its own motion, In Re: UTP Dipak Joshi, lodged in Dum Dum Central Corretional Home¹*, it appears petitioner is suffering from serious illness. Purely on medical ground, we are inclined to enlarge the petitioner on bail.
3. Therefore, the accused/petitioner, namely **Jogaswar Naskar**, 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, Baruipur, South 24-Parganas 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.

¹ WPA (P) 27 of 2021 with CRM (NDPS) 48 of 2023 with CRM (NDPS) 52 of 2023 with CRR 798 of 2023 with CRR 799 of 2023 with WPA 26371 of 2017 with WPA 4510 of 1997 with WPA 5440 of 2020 with WPA 7252 of 2018 with WPA 8573 of 2018

4. 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.
5. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)