

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

**13.05.2024.
65.
Ct.No.28.
as
(Allowed)**

C.R.M. (DB) 182 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Naxalbari P.S. Case No.184 of 2022 dated 14.07.2022 under Sections 498A/341/325/307/302/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

In the matter of : **Tapash Paul @ Tapas Paul.**

.... Petitioner.

Mr. Arunava Paul.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, Id. A.P.P.,

Mr. Subhasish Misra.

...for the State.

1. Petitioner is in custody for 650 days. He submits he did not assault the deceased. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record including statements of witnesses before Magistrate. It appears petitioner had assaulted another person.
4. Keeping in mind the extent of complicity of the petitioner in the crime, period of detention suffered by him and as there is little possibility of trial concluding in the near future, we are inclined to enlarge the petitioner on bail.
5. Accordingly, the petitioners viz., **Tapash Paul @ Tapas Paul** 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 Additional Chief Judicial Magistrate, Siliguri, Darjeeling 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)