

09.08.2024

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Ct.No.34

b.das

Allowed

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri**

C.R.M. (SB) 6 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Bhorer Alo Police Station Case No. 119 of 2024 dated 26.06.2024 under Sections 447/465/468/471/420/379/506/120B of the Indian Penal Code.

And

In Re : **Debashis Pramanik @ Debasish Pramanik @ Debasis Pramanik**

... Petitioner.

Mr. Milon Mukherjee, Sr. Adv.
Mr. Sourav Chatterjee
Mr. Debasish Mukhopadhyay
Ms. Madhushri Dutta
Mr. M. Dutta Choudhury

... for the Petitioner.

Mr. Kallol Acharjee
Mr. Ujjwal Luksom

... For the State.

The petitioner seeks bail on the ground that he is not named in the FIR and has no nexus with the alleged offence. The petitioner is in custody for 36 days. His further detention is not required for the purpose of investigation.

Learned counsel for the State produces the Case Diary and opposes the prayer.

It appears that the petitioner was not named in the FIR. He was shown arrested in this case while remaining in custody in connection with NJP P.S. Case No.619 of 2024 lodged on the same date as the present matter. No prayer

for interrogation was made before the learned Magistrate prior to showing him as arrested in the present matter.

Learned counsel for the State submits that investigation is on the verge of completion and is awaiting submission of charge sheet.

Investigation has not proceeded much after initial recording of statement under Section 161 of the Code of Criminal Procedure.

Considering the material on record, this Court is of the view that further detention of the petitioner is not required for the purpose of custodial interrogation. The petitioner may be granted bail subject to stringent conditions.

In view of the above, the petitioner, namely, Debashis Pramanik @ Debasish Pramanik @ Debasis Pramanik be released on bail upon furnishing 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, Jalpaiguri subject to condition that the petitioner shall remain outside the jurisdiction of Bhorer Alo P.S. and shall furnish his address where he shall presently reside to the learned Trial Court as well as the Investigating Officer, Bhorer Alo P.S. and the Officer in Charge of the concerned P.S. where he shall reside presently.

He shall appear before the learned Trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions without any justifiable cause, the learned Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail, being CRM (SB) 6 of 2024, is disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)