

27.11.2024
Ct. No. 01
SL No. 01
Cp

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (DB) No. 603 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with Pundibari Police Station Case No.812 of 2024, dated 03/10/2024, under Sections 126(2)/115(2)/74/303(2)/326(g)/351(3)/3(5) of B.N.S.S., 2023.

And

In the matter of: Amulya Das

Mr. Subhasish Misra
Mr. Satyajit Paul
Mr. Abhijit Chanda
Ms. Keya Sarkar

... for the petitioner

Mr. Nilay Chakraborty
Mr. Biswarup Roy

...for the State

1. Learned advocates mentioned the matter yesterday so that the matter can be taken up. It was informed that the order had gone down inadvertently. The order dated November 25, 2014 stands recalled. Matter is taken up.
2. This is an application for bail. The petitioner has been in custody for the last 80 days. He submits that as a counter-blast to the complaint lodged by the petitioner against the de facto complainant, the present case was started. The de facto complainant was arrested. The de facto complainant is on bail. Such bail was granted by the Judge, POCSO Court, Cooch Behar. The learned Judge recorded that there was a long standing land dispute between the parties. After being enlarged on bail, the present complaint was filed by the de facto complainant.

3. Learned advocate for the State opposes the prayer for bail.
4. Considering the materials on record and the statements of the witnesses examined under Section 161 of the Cr.P.C., we do not find that further detention of the petitioner is necessary.
5. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.25,000/- with two sureties of like amount each, to the satisfaction of learned Chief Judicial Magistrate, Cooch Behar, subject to the condition that the petitioner shall appear before the learned Trial Court on each and every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future. The petitioner will meet the Investigating Officer of the concerned police station once in a week till the submission of the charge-sheet and shall not leave the jurisdiction of the concerned police station.
6. In the event the petitioner fails to comply with the conditions as stated hereinabove, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.
7. The application for bail is, thus, allowed and disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)