

03.12..2024
Ct. No. 01
SL No. 05
Cp
(allowed)

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (DB) No. 630 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with Mekhliganj Police Station Case No. 349 of 2024, dated 26/09/2024, under Sections 331(8)/103(1) of the B.N.S., 2023.

And

In the matter of: Pran Prashad Barman @ Puku

.....petitioner.

Mr. Shubhankar Dutta
Mr. Soumyadeep Paul

... for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Dr. Arjun Chowdhury

...for the State

1. Learned advocate representing the petitioner prays for bail. According to the petitioner, the FIR does not disclose any offence against him. The only allegation against him was that he had harboured the principal accused. The petitioner is the uncle of the accused and they resided in the same house. The question of harbouring did not arise.
2. Learned advocate for the State opposes the prayer and hands over the charge-sheet. According to him, the investigation is in its early stage and the petitioner had harboured the principal accused, which was an offence.
3. It appears that the principal accused has been arrested and the petitioner is the uncle of the principle accused. The FIR discloses offence against the principal accused.

4. Under such circumstances, upon prima facie considering the role allegedly played by the petitioner, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of equal amount each, to the satisfaction of learned Additional Chief Judicial Magistrate, Mekhliganj, subject to the condition that the petitioner shall appear before the investigating officer once a week and shall not leave the jurisdiction of the concerned police station. The petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future. The petitioner shall also appear before the learned trial court on each date of hearing as may be fixed by the said court, after conclusion of the investigation.
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.)