

04.12..2024
Ct. No. 01
SL No. 12
Cp
Allowed

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (DB) No. 677 of 2024

In Re: - An application for bail under Section 483 of the B.N.S.S. 2023 in connection with GR-3915 of 2024, NJP Case No. 784 of 2024 dated 11.08.2024, under Sections 137(2)/140(2)/3(5) of the B.N.S., 2023.

And

In the matter of: Suraj Sewa

.....petitioner.

Mr. Sourav Ganguly
Mr. Gopal Roy
Ms. Rishita Chakraborty

... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Kallol Ng

...for the State

1. Liberty is granted to correct the Sections incorporated in the cause title.
2. Learned advocate representing the petitioner prays for bail. The petitioner has been in custody for 115 days. He submits that the investigation is complete and the charge-sheet has been submitted. No incriminating materials has been recovered from the possession of the petitioner and he is not an FIR named accused.
3. Learned advocate for the State opposes the prayer of the petitioner and produces the case diary. He submits that from the statement of the co-accused, the name of the petitioner transpired. The petitioner was also involved in the offence.

4. We have considered the materials on record and the statement of the victim recorded under Section 164 of the Cr.P.C. corresponding to Section 183 of the B.N.S.S. We find that the main allegations are against one Pawan Rai. Considering the materials on record and in view of the fact that the investigation is complete, we are inclined to release the petitioner on bail.
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, one of whom must be local, to the satisfaction of learned Chief Judicial Magistrate, Jalpaiguri, subject to the condition that the petitioner shall appear before the learned Trial Court on each and every date of hearing until further orders of the said court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future. The petitioner shall not leave the territorial jurisdiction of the learned trial court and furnish his address to the concerned police station where he will henceforth reside.
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.)