

04.12.2024
SL No.43
s.biswas
(Allowed)

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

C.R.M. (DB) 685 of 2024

In Re: - An application for bail under Section 483 of the BNSS corresponding to Section 439 of the Cr.P.C. in connection with **Kotwali** P.S. Case No. **720/2023** dated **22.09.2023** under Sections **719/420/468/469/471/472/409** of the IPC.

And

In the matter of: **Debashis Debnath @ Debashish @ Debasish**
....Petitioner

Mr. Saikat Chatterjee
Mr. Hasanur Rahaman

...for the Petitioner

Mr. Kallol Acharjee
Ms. Sukanya Adhikary

...for the State

1. The petitioner is in custody for 412 days. He prays for grant of bail on the ground of prolonged detention. The investigation is complete. Supplementary charge-sheet was submitted on July 10, 2024, but till date charge has not been framed. Copy of the supplementary charge-sheet has not been supplied to the petitioner.
2. Learned counsel appearing on behalf of the state produces the case diary and opposes the prayer for bail and submits that the petitioner misused his position as a home guard and promised jobs in lieu of money by representing himself to be a close associate of the police department.
3. We have gone through the materials in the case diary. Considering the prolonged detention of the petitioner, the fact

that the investigation is complete and there is hardly any chance of early conclusion of trial, we are inclined to grant bail to the petitioner.

4. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.25,000/- with two sureties of equal amount each, one of whom must be local, to the satisfaction of the Learned Additional Sessions Judge, 2nd Court, 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 and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offence in future. The petitioner shall not leave the jurisdiction of the trial court until further orders.
5. In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail of the petitioner without any further reference to this Court.
6. The application for bail is, thus, allowed.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)