

63.
27-02-2025
(ct. no.29)
S. De
(Allowed)

CRM (DB) 158 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Bhatpara Police Station Case No. 447** of **2024** dated **27.07.2024** under **Sections 115(2)/126(2)/118(2)/110/351(2)/74** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Arvind Kumar Singh.Petitioner.

Mr. Sabir Ahmed,
Mr. Krishnendu Bhadra,
Mrs. Sampa Bhadra,
Mr. Quazi Ezaz Ahmed,for the Petitioner.

Ms. Sukanya Bhattacharyya,
Ms. Suveni Banerjee,for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that the incident happened suddenly over a dispute. The victim is his niece. It happened at home only regarding a dispute pertaining to issuance of a cheque. He is in custody for 215 days. Investigation is complete. He prays for bail.
2. Learned State counsel opposes the prayer. She draws our attention to the injury report as also the statements of witnesses including the victim.
3. We have considered the facts and circumstances of the case and the material-on-record. It prima facie, appears that the incident happened in the heat of the moment and there was no pre-meditated plan on the part of the petitioner to cause serious physical injury to the victim. Since investigation is complete and chargesheet has been filed, we are of the view

that further custodial detention of the petitioner is not necessary.

4. Accordingly, we direct that the petitioner, namely, **Arvind Kumar Singh** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Barrackpore, North 24-Parganas subject to the condition that he shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall not enter the jurisdiction of Bhatpara Police Station except for the purpose of attending Court proceedings and shall also furnish the address where he will be residing to the Officer-in-Charge in whose jurisdiction he will be residing and shall also appear before such Officer-in-Charge once in a fortnight until further orders.
5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.
6. The application for bail is, accordingly, allowed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)