

17.07.2025

15

jb.

jdt.

Allowed

CRA (SB) No. 55 of 2025

In Re : An appeal under Section 14A of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act in connection with Nandigram Police Station case no. 436/2024 dated 23.05.2024 under Sections 326/307/302/506/34 of the Indian Penal Code and Section 3(1)(r)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

And

In Re : Kartik Dolai @ Kartik Dolui & Anr.

Mr. Milon Mukherjee
S. Ganguly

... For the Appellants.

Mr. Aniket Mitra
Ms. Debolina Das

... For the State

Affidavit of service filed on behalf of the appellants is taken on record.

The private respondent is not represented despite service.

The appellants seek parity with the co-accused who have been granted bail by this Court earlier.

Opposing the prayer, learned counsel for the State submits that the 2nd appellant has been named by the witnesses in their statements recorded under Section 164 of the Code of Criminal Procedure.

I have considered the material on record.

The appellants as well as the co-accused have been named by the witnesses in their statements recorded under Section 161/164 of the Code of Criminal Procedure. No incriminating material has been recovered from the

appellants. No specific overt act has also been attributed to the appellants who appear to be the members of the gang who attacked the victim on the relevant date. Charge sheet has been submitted.

Considering the material on record as well as extent of complicity of the appellants in the alleged offence, this Court is of the view that further detention of the appellants is not required and they may be released on bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The appellants namely Kartik Dolai @ Kartik Dolui and Krishnakanta Sheet @ Krishnapada Sheet shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Tamluk, Purba Midnapore subject to conditions that they shall remain outside the jurisdiction of Nandigram Police Station and shall furnish the address where they shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction they shall presently reside. They shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. They shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the appellants fail to adhere to any of the conditions stated hereinabove, the learned trial Court shall

be at liberty to cancel their bail in accordance with law without further reference to this Court.

The appeal being CRA (SB) 55 of 2025 is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)