

13.06.2025

Item No.08

Ct.No.34

rc.

Allowed

C.R.M. (R) 30 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Balurghat Woman Police Station Case No. 99 of 2024 dated 21.12.2024.

And

In Re : **XXXX**

... Petitioner

Mr. Kaushik Choudhury

... for the Petitioner

Mr. Arijit Ganguly

Mr. Debanshu Ghorai

... For the State

Memo of evidence and report submitted by the State are taken on record.

The petitioner is in custody for more than hundred days and submits that he has been falsely implicated due to previous dispute between the parties. The defacto complainant took loan from the petitioner and on his insistence to return the same, the complaint was lodged.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The charge sheet reflects prior dispute between the parties who are neighbours.

Considering the material on record as well as extent of complicity of the petitioner in the alleged offence, this Court is of the view that further detention of the petitioner is not

required and he may be granted bail subject to stringent conditions.

Accordingly prayer for bail is allowed.

The petitioner be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Dakshin Dinajpur at Balurghat subject to condition that he shall remain outside the jurisdiction of Balurghat Police Station and shall furnish the address where he shall presently reside before the learned trial Court, Investigating Officer and the Officer-in-Charge of the concerned police station under whose jurisdiction he shall henceforth reside. He shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as mentioned above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)