

CRM (DB) 3391 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Tehatta Police Station** Case No. **292 of 2022** dated **20.04.2022** under Sections **394/397/412/34** of the Indian Penal Code.

- A n d -

In the matter of : Ujir Dafadar

.... Petitioner.

Mr. Arindam Jana,
Mr. Asraf Mondal,

... For the Petitioner.

Mr. Saryati Datta,
Ms. Sikha Biswas,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner says that he is in custody for one year five months. He has been falsely implicated. There is no material against him. Nothing was recovered from him. He was not even present at the place of occurrence. He prays for bail.
2. Opposing the bail prayer, learned State Advocate draws our attention to the material in the case diary including the statements of witnesses recorded under Sections 164 of the Code of Criminal Procedure. We also see that nothing was recovered from this petitioner. He was not placed in TI parade.
3. We find no such material in the case diary as would justify further detention of the petitioner. Considering that investigation is complete and even charge has been framed, we are inclined to enlarge the petitioner on bail.
4. Accordingly, we direct that the petitioner, namely, **Ujir Dafadar**, 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, Tehatta, Nadia subject to condition that he shall appear before the trial court on every date of hearing 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 remain with the jurisdiction of the concerned Police Station and shall meet the Officer-in-Charge of the concerned police station 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.)