

19.02.2025
Item no. 33.
Court No.29.
AB
(Allowed)

CRM (DB) 73 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with West Port Police Station Case No.84 of 2024 Dated 30.05.2024 under Section 304/34 of the Indian Penal Code

And

In the matter of : Sanjit Kumar ShawPetitioner.

Mr. Sourav Mondal,
Mr. Arijit Bhunia,
Mr. Rony Mondalfor the Petitioner.

Ms. Sukanya Bhattacharya
Mr. Sharequl Haquefor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he had no intention of killing or even causing grievous bodily harm to the victim. It was an accident that the victim was run over by a truck. He is in custody for 265 days. Investigation is complete and charge sheet has been filed. His further custodial detention is not necessary.
2. Learned Advocate for the State draws our attention to the material in the case diary. From the statements of witnesses including eyewitnesses, it appears that there was an altercation between the petitioner, his mother and his sister and the victim lady, who was the widowed sister in law of the petitioner regarding the running of a tea stall on the road side. The petitioner kicked and pushed the victim lady, who fell down on the road and was run over by a truck.

3. On an overall assessment of the material on record and the possible extent of complicity of the petitioner in the alleged crime, we are of the opinion that since investigation is complete, his further custodial detention is not necessary.
4. Accordingly, we direct that the petitioner, namely **SANJIT KUMAR SHAW** 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 Chief Judicial Magistrate, Alipore, and on further conditions that he shall not enter the jurisdiction of Rasulpur Police Station except for attending the court proceedings and shall provide the address where he shall presently reside to the Officer in Charge of the Rasulpur Police Station and shall meet the Officer in Charge of the concerned police station within whose jurisdiction he shall presently reside once in a fortnight until further orders.
5. The petitioner 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 and/or commit any cognizable offence in any manner whatsoever.
6. 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.

7. The application for bail is, accordingly, allowed.
8. 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.)