

21.01.2025

Sl. No.11

SG

[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (DB) 21 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Bhaktinagar P. S.
Case No. 452 of 2024 dated 24.05.2024 under Sections
341/326/506/34 of IPC.

And

In Re: ***Nripendra Roy @ Nipendra Roy.***

... .. Petitioner

Mr. Hillol Saha Podder.

... .. for the petitioner

Mr. Kallol Acharjee,
Ms. Sukanya Adhikary.

... .. for the State

1. Petitioner is in custody for 42 days. He contends the incident occurred on the spur of the moment and was not a pre-meditated one. Accordingly, he prays for bail.
2. Learned Advocate for the State submits injuries are grievous.
3. We have considered the materials on record. Incident occurred on the spur of moment. Whether injuries are life threatening or not may be assessed at the appropriate stage of the proceeding. There is no chance of abscondence.
4. Under such circumstances, we are inclined to grant bail to the petitioner.
5. Therefore, the accused/petitioner, namely ***Nripendra Roy @ Nipendra Roy***, 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, Jalpaiguri subject to condition that

the said petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition petitioner while on bail shall meet the officer-in-charge of the concerned police station until further orders.

6. In the event he fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
7. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)