

08.04.2025
Item no. 14.
Court No.4.
AB
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri

CRM (R) 9 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 Tufanganj Police Station Case No.137 of 2020 Dated 09.03.2020 under Section 417/376(2)(n)/506 of the Indian Penal Code

And

In the matter of : Sri Sujit BarmanPetitioner.

Mr. S. Mukherjee,
Ms. Oshmita Mukherjee,
Ms. Tannu Agarwalfor the Petitioner.

Mr. A. S. Chakraborty, ld. APP
Mr. S. S. Sikdarfor the State.

1. Learned Advocate for the petitioner and learned Advocate for the Opposite Party/State of West Bengal are present.
2. Heard learned Advocates for the parties.
3. Perused the materials in the case diary.
4. On perusal of the records, it appears that the petitioner was granted bail on 15.05.2020. Thereafter, the petitioner failed to appear on 5.2.2025 on the day fixed for commitment and the warrant of arrest was issued against him. Pursuant to the petitioner being taken into custody, the case is already committed to the Court of

Sessions and on the prayer for bail being made on 13.03.2025, the same was rejected.

5. Upon hearing the learned Advocate for the petitioner and the learned Advocate for the Opposite Party/State of West Bengal, this Court is of the view that as the petitioner was already on bail and failed to appear only on one date and considering the period of detention of the petitioner, which is about 57 days, in the interest of justice, the petitioner should be granted one more opportunity to remain on bail.
6. Thus, the prayer for bail made by the petitioner is allowed.
7. Accordingly, the petitioner, namely **SRI SUJIT BARMAN** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of Rs.5,000/-each, other than the previous surety, one of whom must be local, to the satisfaction of the learned Trial Court, and on further conditions that the petitioner upon being released on bail shall report to the Officer-in-Charge of Tufanganj Police Station once in a week until further orders.
8. 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.

9. 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.
10. The application for bail is, accordingly, allowed.
11. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)