

21.04.2026
Court No.35.
D/L.451.
Rakib
(Rejected)

CRM (DB) 3967 of 2024

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 Berhampore Police Station case no. 1596 of 2024 dated 16.10.2024 under Sections 103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 25/27 of the Arms Act.

And

In the matter of : State of West Bengal.

.....State/Petitioner.

Mr. Rudradipta Nandy, Ld. APP

Ms. Amita Gaur, Sr. Govt. Adv

.....for the State/Petitioner.

Mr. Karan Bapuli

.....for the Opposite Party.

Opposite party herein was granted bail on 21.06.2023 in CRM (DB) 2289 of 2023 and while granting bail the Division Bench of this Hon'ble Court was pleased to impose the following conditions:

“i) the petitioner shall appear in person before the Court during trial on each date of substantive hearing subject to provision of Section 317 Cr.P.C. on cogent ground;

ii) he shall not leave District-North 24 Parganas without leave of the Trial Court;

iii) the petitioner shall provide his mobile number and his address statement duly endorsed by the I.C. of the Police Station under which he resides to the I.O. of the present case for the purpose of issuance of summonses, notices, etc.”

Learned advocate appearing for the State submits that opposite party herein did not provide the mobile number or his address statement to the investigating officer of the case or the

Inspector-in-charge of the police station. Further opposite party committed offence by threatening and coercing the witnesses concerned as also opposite party herein did not appear in Court regularly.

Learned advocate for the opposite party on the other hand submits that an application for cancellation of bail was filed for non-appearance, which was rejected by the learned trial Court.

I have taken into account the reasons assigned by the learned trial Court. So far as the conditions of bail which has been imposed by this Court are concerned, the opposite party however, could not satisfy this Court that his mobile number and his address statement was duly endorsed by the Inspector-in-charge of the police station where he would resided.

Having considered that it was within the knowledge of the learned trial Court when the opposite party was regularly appearing and the direction of this Court was subject to the provisions of Section 317 of the Code of Criminal Procedure, I am of the view that so far as the liberty which is granted the same cannot be interfered with at this belated stage.

However, the opposite party herein will within a week from date provide his mobile number and his address statement which would be submitted before the learned trial Court. Learned trial Court will send it to the Inspector-in-Charge of the concerned police station where he is residing so that for future purposes the processes of summons/notices may be communicated to the said address concerned.

Accused/ opposite party herein will not change his address and in case he changes his address, he would inform the learned trial Court.

If other conditions are required for ensuring that the progress of the trial, the learned trial Court would be at liberty to impose additional conditions.

With the aforesaid observations CRM (DB) 3967 of 2024 is **disposed of.**

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)