

60 27.02.2023
AD Ct. No.29
(Allowed)

C.R.M. (DB) 786 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dhantala** P.S. Case No.**841 of 2022** dated **28/11/2022** under Sections **354/469/500/509/306** of the Indian Penal Code read with Sections **65/67** of the Information Technology Act. (S.C. 24(01)2023). Charge Sheet No.12 of 2023 dated 16.01.2023 under Sections **354/469/500/509/306** of the Indian Penal Code read with Sections **65/67** of the Information Technology Act.

And

In the matter of: Abhijit Biswas alias Avijit Biswas

....petitioner.

Ms. Minoti Gomes

...for the petitioner.

Ms. Zareen N. Khan

Md. Kutubuddin

...for the State.

Petitioner seeks bail.

Petitioner is in custody for 91 days.

The police filed charge sheet.

There is a dying declaration left behind by the victim.

The extent of complicity of the petitioner in the abetment, if there be any, is an issue which is required to be decided at the trial.

Considering the period of detention of the petitioner and his complicity in the incident, we grant bail to the petitioner.

Accordingly, the petitioner be released on bail upon furnishing a 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 Additional Chief Judicial Magistrate, Ranaghat, Nadia, subject to the condition that during bail the petitioner shall appear before the learned trial court on every date of

hearing and that the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The prayer for bail of the petitioner is allowed.

The application for bail being **C.R.M. (DB) 786 of 2023** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)