

Crl. Misc. Case No.477/2022 (R-483/2022)

Arising out of Jhargram P.S. Case 269/2022 dated 07/09/2022 u/s 386 of I.P.C. & 25/27 Arms Act

**Present : Smt. Sutanuka Nag
Dist. & Sessions Judge, Jhargram
J.O. Code : WB01248**

Order No. 02 dtd. 05/11/2022

Today stands fixed for hearing of the instant Criminal Misc. Case. C.D. is received.

The record is now taken up for hearing and order.

This is an application u/s 439 Cr. P.C. filed by the petitioner namely **Biswajit Pradhan @ Nera** in connection with Jhargram P.S. Case No 269/2022 dtd 07/09/2022 u/s 386 of I.P.C. & 25/27 of Arms Act pertaining to G.R. Case No.920/2022.

It is submitted by the Ld. Defence Counsel that the accused/petitioner is in custody since 08/09/2022. He further submits that the petitioner is completely innocent and has been falsely implicated in this case. He further submits that the bail prayer was lastly rejected on 31/10/2022 by the Ld. CJM, Jhargram. It is also submitted that at the time of arrest nothing was recovered from the possession of the accused person. It is also submitted that during the course of investigation the investigating agency did not make any seizure. He also submits that the alleged offence is Magistrate triable and prays for enlargement on bail under any terms and conditions. He further submits that no bail prayer has yet been preferred or rejected by any superior Court, in connection with the said case.

It is submitted by the Ld. P.P. In-Charge that the investigation is still going on and lays emphasis on the statement of the witnesses recorded u/s 164 of Cr. P.C.

Perused the L.C.R. & C.D. as well as the other materials on record and on perusal of the same I find that the investigation is in the matured stage and the said case is triable by the Magistrate and considering that period of detention and also considering that the investigation is in the matured stage, I am inclined to allow the prayer for bail of the accused/petitioner.

Hence, the accused/petitioner namely **Biswajit Pradhan @ Nera** may find bail of Rs. 3000/- with two sureties of Rs. 1500/- each subject to the satisfaction of Ld. CJM, Jhargram with the condition that the petitioner Biswajit Pradhan @ Nera shall remain present in the court of the Ld. CJM, Jhargram on each and every date and if any violation of the order is there the bail so granted would be cancelled forthwith.

The Crl. Misc. Case is thus disposed of.

C.D. & L.C.R. be returned.

Dictt. and Corrt. by me,

S.J.

Sessions Judge, Jhargram.
J.O. Code : WB01248