

Present : Arindam Chattopadhyay
J. O. Code : WB 0859

SC 91 of 2022
GR.1207 of 20
CIS 91 of 2022

Arising out of Raidighi P.S. Case No.176 of 2020

Order No.05
Dt.24.03.2022

Today has been fixed for hearing of the bail application dated 21.03.22 filed on behalf of the accused person namely Sukdeb Halder.

The Ld. Advocate for the said accused person and Ld. P.P. in charge are found present. C.D. has been produced by the Ld. P.P. in charge.

Ld. Advocate for the accused person submitted photo copy of some documents in a firisty in connection with the disability and the connected medical treatment documents of the daughter of the said accused person. Let the same be kept with the record.

The bail petition dated 21.03.22 is taken up for hearing.

Heard the Ld. Advocate for the accused person who submitted that all the other accused persons of this case are on bail. Moreover, charge sheet has already been submitted in this case and there is no chance of interference by the accused person in the investigation of the case. He further submitted that the daughter of this accused person namely Dona Halder, who is now aged about 10 years, is a mentally challenged child and her medication and treatment is solely dependent upon her father i.e. this accused person. Accordingly, he prayed for bail by imposition of any condition which may be found fit and proper by this court.

Ld. P.P. in charge vehemently objected to the said bail petition. According to her, the accused person is involved in a brutal murder and the materials available on record suggest that he has taken an active part in the said heinous crime. Moreover, the prayer of this accused person for granting anticipatory bail was twice rejected by the Ld. Sessions Judge. .

Perused the bail petition under consideration, the case record and the Case Docket.

Considered.

From the inquest report as well as Post Mortem report it appears that there has been multiple injuries on the body of the deceased. The statement u/s.161 Cr.P.C. also suggest the involvement of this accused person in the act of crime. It is also a fact that all other accused persons of this case are already on bail, that charge sheet has already been submitted in this case and that the prayer made by this accused person u/s.438 Cr.P.C. before Ld. Sessions Judge have been rejected twice. From the record it appears that the accused person surrendered before Ld. A.C.J.M., Diamond Harbour on 09.03.21. Accordingly, he is in custody for about 15 days. The co accused persons of this case were granted bail u/s.439 Cr.P.C. mainly considering the ground of detention as well as completion of investigation of this case.

Although this accused person is not in custody for a long time, considering the fact that investigation of the case has concluded and the mental ill condition of the minor daughter of this accused person, this Court is inclined to grant interim bail to this accused person.

Thus, the bail petition dated 21.03.22 is allowed and the accused Sukdeb Halder is granted interim bail of Rs.5,000/- with two sureties of Rs.2,500/- each subject to the satisfaction of Ld. A.C.J.M., Diamond Harbour till 19.05.2022 on condition that he must be present before this Court on each and every date of hearing.

Let the C.D. be returned to Ld. P.P. in charge.

If on bail to 19/05/2022 for appearance.

Let a copy of this order be sent to the Ld. A.C.J.M., Diamond Harbour for information and necessary action.

D/c by me

Addl. Sessions Judge
F.T.C. II, D/Harbour

No. Dated :
Copy of order forwarded to
Ld. A.C.J.M.,Diamond Harbour.

Addl. Sessions Judge
F.T.C. II, D/Harbour