

16.09.2025
Sl. No.19
AMR
Ct.No.655

CRA110 of 2017
with
IA No.: CRAN/2/2024

In the matter of : **Nabangshu Dey @ Pintu Da**

.... Appellant

Mr. Abhijit Ganguly
Mr. Smarajit Basu

...for the Appellant

Mr. Sachit Talukdar

...for the State

In Re.: CRAN/2/2024

1. This is an application filed at the behest of the appellant with a prayer for relaxing/waiving/modifying the condition of bail, which was imposed upon the appellant at the time of enlarging him on bail dated 21.09.2017 by the learned Co-ordinate Bench of this Court.
2. This appeal is preferred at the behest of the appellant challenging the impugned judgment and order of conviction passed by the learned Trial Court.
3. An application for suspension of sentence along with a prayer for bail was filed on behalf of the appellant, which was allowed by the learned Co-ordinate Bench of this Court on 21.09.2017, imposing condition that this appellant should appear before the learned Magistrate once in a month till disposal of the appeal.

4. It is noted that while enlarging the appellant on bail, a specific condition was imposed requiring him to appear before the learned Magistrate once every month until disposal of the appeal. Records, however, reveal that the appellant has consistently abided by and sufficiently complied with the said condition up to this stage of the proceedings. His conduct demonstrates a bona-fide intention to adhere to the terms of the order passed by the Court. In these circumstances, the continuance of such a condition no longer appears necessary or justified. The object of ensuring the appellant's regular attendance and monitoring his conduct during the pendency of the appeal has already been achieved. Accordingly, I find no reason to insist on the continuance of this condition as directed earlier by the co-ordinate Bench of this Court.

5. I have considered the submission made by the learned advocate for the State.

6. In view of the circumstances noted hereinabove, the condition earlier imposed by the co-ordinate Bench of this Court requiring the appellant to make monthly appearances before the learned Magistrate no longer serves any meaningful purpose. Accordingly, the said condition stands dispensed with, and the requirement of such appearance is hereby waived.

7. The application being CRAN/2/2024 is hereby **allowed** and disposed of.

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8. Department is directed to hand over the copies of the paper books to the learned advocates for the parties before the date fixed.

9. Let the matter appear in the list two weeks after reopening of this Court following 'puja vacation'.

(Prasenjit Biswas,J.)