

In the Matter of : Dipak Das

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Court : Kolkata

Decided On : Mar-23-2012

Judge : Kanchan Chakraborty

Appeal No. : C.R.M. No.4808 of 2012

Judgement :

This application for bail under Section 439 of the Cr. P. C. has been taken out by Dipak Das, who have been arrested in connection with Bizpur Police Station Case No.208 dated 5.6.2011 under Section 368 of the I.P.C.

Heard Mr. Ganguly, learned Counsel appearing on behalf of the petitioner. Heard Mr. Ghosh, learned Counsel appearing on behalf of the State of West Bengal/opposite party.

Perused the C.D.

The factual background of the case appears to be a peculiar one. The wife who lodged the case under Section 498A I.P.C. and other Sections against the present petitioner/accused was kidnapped by the present petitioner/accused and he kept her near Bangladesh border in isolation so that she may not get any opportunity to come and depose in the case initiated by her. In doing so, he committed the offence under Section 368 of the I.P.C.

Once this petitioner was granted bail. For some reasons, the bail so granted to him was cancelled. Thereafter, he surrendered in Court on 13.12.2011 and since then,

he is in custody in connection with this case.

It is reported that the charge sheet has already been filed and the case has already been committed to the learned Sessions Judge at Barrackpore. The petitioner is a man of Ranaghat while the victim/wife is a resident of Bizpur.

Taking everything into consideration, I allow the prayer for bail.

The petitioner may find bail of Rs.20,000/- with two sureties of Rs.10,000/- each out of which one must be local surety of the area where he resides permanently to the satisfaction of the learned A.C.J.M., Barrackpore and on condition that he should not go to the house of the victim/wife or telephone her or contact in any manner and should not create any disturbance in the process of trial. In case of any adverse report from any end, the learned Trial Court will be at liberty to take that matter into consideration and cancel the bail.

The application for bail being C.R.M.4808 of 2012 is disposed of. C.D. be returned.

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