

01 10.09.2020
rkd Ct. No.08
(Allowed)

C.R.M. 2825 of 2020
(CRAN 1 of 2020 (old CRAN 4274 of 2020))
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Ranaghat** P.S. Case No. **368 of 2019** dated **25/11/2019** under Sections **306/120B** of the Indian Penal Code.

And

In the matter of: Basudev Barai

....petitioner.

Ms. M. Gomes

...for the petitioner.

Mr. I. Ali,

Ms. S. Biswas

...for the State.

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, CRAN 4274 of 2020 is disposed of.

Petitioner is in custody for 218 days. He renews his prayer for bail and submits that there is little possibility of the trial concluding in the near future.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the facts and circumstances of the case in the light of the submission that the incident occurred 14 years after marriage and the victim did not leave behind any suicide note implicating him and in view of the period of detention suffered by the petitioner and as possibility of trial concluding in the near future

is bleak, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner are directed to be released on bail upon furnishing a Bond of Rs. 10,000/- 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 he shall appear before the learned trial court regularly till disposal of the trial and he 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 application for bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)