

21.12.2020.
27.
as
(Allowed)

C.R.M. 2870 of 2020
With
CRAM 1 of 2020
(Not in the file)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra P. S. Case No.61 of 2019 dated 13.03.2019 under Sections 323/448/325/326/307/302/34 of the Indian Penal Code.

In the matter of : Sannyashi Das & Anr.

.... Petitioners.

Mr. Prabir Majumder,
Mr. S. Majumdar.

...for the Petitioners.

Mr. Arun Kr. Maity, Id. A.P.P.,
Mrs. Manasi Roy.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioners that there was a free fight between the parties. Incident was a premeditated one. They are in custody for about 634 days.

Learned Advocate appearing for the State opposes the prayer for bail.

Whether the petitioners had intention to commit the murder may be assessed in the light of the aforesaid submissions made on behalf of the petitioners.

Under such circumstances including the protracted period of detention suffered by the petitioners i.e. 634 days and

as there is little possibility of trial concluding in the near future, we are inclined to grant bail to the petitioner.

Accordingly, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Krishnagar, Nadia, subject to condition that the petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application, being C.R.M. 2870 of 2020, is disposed of.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)