

21.12.2020
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AP/sdas
[INTERIM BAIL]

C. R. M. 3199 of 2020
with
CRAN 1 of 2020 (Old CRAN 1577 of 2020
(CRAN not found in the file)
[via video conference]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No.650 of 2019 under Sections 341/325/326/307/302/34 of the Indian Penal Code.

And
In Re: **Indrajit Bera @ Chhotu**
... .. Petitioner

Mr. Dhananjay Banerjee
... .. for the petitioner

Mr. S. G. Mukherjee, learned P.P.
Ms. Faria Hossain
Mr. M.F.A. Begg
... .. for the State

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

The application being C.R.A.N. 1 of 2020 (Old CRAN 1577 of 2020 is disposed of.

Learned Counsel appearing for the petitioner is in custody for 419 days. Co-accused Biswajit Gope and Sonu Thakur are on bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits that an application for cancellation of bail being CRM 4893 of 2020 has been filed

against the order of granting bail to the co-accused Biswajit Gope.

We have considered the materials on record. Petitioner stands on the same footing with co-accused Biswajit Gope.

Under such circumstances, we are inclined to grant interim bail to the petitioner subject to the result of the application for cancellation pending before this Court against the order of bail to the co-accused Biswajit Gope.

Accordingly, the petitioner be released on interim bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) with two registered sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Paschim Medinipur, subject to the condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever. The interim bail shall continue for a period of six months or until further orders, whichever is earlier.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his interim bail automatically without reference to this court.

Liberty to mention.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)