

03.09.2020

No. 8
Ct. No. 11
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**CRM 5559 of 2020
With
(Via Video Conference)**

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bishnupur Police Station Case No. 785 of 2019 dated 28.10.2019 under Sections 147 /148 /149 /325 /326 /307 /379/448/427/354/435/506/302 of the Indian Penal Code and 4/5 E.S. Act.

And

In the matter of : **Pallab Roy** Petitioner

Mr. Maidul Islam, for the Petitioner

Mr. Pradipta Kumar Ganguly, ...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Learned counsel for the petitioner submits that the petitioner is in the custody for more than eleven months. He further submits that similarly placed accused being one Sanat Sardar was granted bail in CRM 4395 of 2020.

Learned counsel for the State opposes the prayer and refers to the case statements of the victim witnesses in the case dairy. We have perused the statements of the witnesses. We have found that the present petitioner is similarly placed in the case records as that of the accused who was granted bail in CRM 4395 of 2020.

Accordingly, we are inclined to release the petitioner on bail.

The petitioner shall be released on bail subject to the satisfaction of the learned Chief Judicial Magistrate, Alipore upon furnishing a bond of Rs. 10,000 (rupees ten thousand) with two sureties of like amount, one of whom shall be local and on condition that the petitioner shall not threaten the witnesses and/or try to tamper with evidence and/ or intimidate the witnesses. The petitioner shall meet with the Officer-in-charge of the Bishnupur Police Station once in a fortnight until further orders.

CRM 5559 of 2020 is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)