

03.09.2020

BP/AGM
Sl.13

CRM 5923 of 2020
With
CRAN 4360 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Panchla Police Station Case No. 321 of 2019 dated 13.12.2019 under Sections 341/302/34 of the Indian Penal Code.

In the matter of : Samir Panja...petitioner

Mr. Anindya Halder
..for the petitioner.

Mr. S. Bapuli
Mr. Shiladitya Banerjee
..for the State.

Learned advocate for the petitioner submits that the petitioner is in custody for considerable period of time and chargesheet has already been submitted in connection with the instant case and there has been no progress as such. He submits that further detention of the petitioner is unwarranted in the facts and circumstances of the case.

Learned advocate for the State opposes the prayer for bail and draws attention of this court to the statement of the witnesses and also submits that two accused persons are absconding.

We have perused the materials on record and also the statement of one Piklu Gaj, who happens to be the brother of the deceased. The said witness in his statement before the learned magistrate stated that the petitioner helped to save the victim.

Having regard to the nature of the case and the role played by the petitioner, we are not inclined to further detain the petitioner in custody. As such the prayer for bail of the petitioner is allowed.

The petitioner shall be released on bail subject to the satisfaction of the learned Chief Judicial Magistrate, Howrah 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 Panchla Police Station once in a week until further orders.

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 reference

to this court.

The application for bail being C.R.M. 5923 of 2020 and C.R.A.N. 4360 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)