

03.09.2019
SL No.19
s.biswas
(Allowed)

**C.R.M. 5958 of 2020
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Matigara** P.S. Case No. **808 of 2019** dated **25.09.2019** under Sections **304B/498A/34** of the IPC and added Section **302** of the IPC.

And

In the matter of: **Satis Barman**

....Petitioner.

M. Arpita Saha

...for the Petitioner.

Mr. Niloy Chakraborty

Mr. S. S. Sikdar

...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.

It is submitted that the petitioner is in custody for 340 days.

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

Having considered the materials in the case diary and keeping in the mind the complicity of the petitioner in the alleged crime and bearing in mind the period of detention suffered by the petitioner and in the light of the submission that there is little possibility of trial concluding in the near future due to prevailing pandemic, we are inclined to grant bail to the petitioner.

Let the petitioner 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, Siliguri subject to the condition that during bail the petitioner shall appear before the learned trial court regularly till disposal of the trial and the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fail 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.)