

08.09.2020
Sl. No.35
akd
[ALLOWED]

C. R. M. 6080 of 2020 *[via video conferencing]*
CRAN 1 of 2020 *[Old No. CRAN 4548/2020]*

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.08.2020 in connection with Narendrapur Police Station Case No. 379 of 2020 dated 20.04.2020 under Sections 363/365/326/307/34/302/201/120B of the Indian Penal Code.

And

In Re: **Shuvo Mitra @ Suvo Mitra**

... .. Petitioner
Mr. Angshuman Chakraborty .. Advocate
... .. for the petitioner

Mr. Saibal Bapuli .. Ld. Addl. Public Prosecutor
Mrs. Sayanti Santra .. Advocate
... .. 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 conferencing.

The application being CRAN 1 of 2020 (Old No. CRAN 4548 of 2020) is accordingly, disposed of.

It is submitted on behalf of the petitioner that he is in custody for about 132 days. It is further submitted that the victim suffered death due to drowning.

Learned Additional Public Prosecutor opposes the prayer for bail and submits that the victim was kidnapped by the petitioner and incriminating articles were recovered from him.

We have considered the materials on record. Whereas witnesses state that the victim was assaulted prior to his death, as per post-mortem report death is due to drowning. In view of the aforesaid fact and the period of detention suffered by the petitioner and as

investigation is complete, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Shuvo Mitra @ Suvo Mitra**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Baruipur, South 24-Parganas subject to condition that the said petitioner 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)