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CRM 6181 of 2020
IA No. CRAN/1/2020 (Old. No.CRAN 4690 of 2020)
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 439 of the Code of Criminal Procedure in connection with Sainthia P.S. Case No.229 of 2016 dated 28.12.2016 under Sections 392/395/412 of the Indian Penal Code.

And

In the matter of: Sk. Saju

....Petitioner.

Mr. Debabrata Das Gupta

...for the Petitioner.

Mr. Prasun Kr. Datta

Mr. Nirupam Dhali

...for the State.

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

The application being IA No. CRAN/1/2020 (Old. No.CRAN 4690 of 2020) is disposed of.

The petitioner is in custody for more than four years.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that the offence does not call for mandatory life imprisonment and in view of the protracted period of detention suffered by him, which is more than four years, we are inclined to grant bail to the petitioner subject to strict conditions.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten thousand only) with two sureties of like amount, one of whom must be local, to the satisfaction of the learned Additional District & Sessions Judge, Suri, Birbhum subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and while on bail the petitioner shall remain within the jurisdiction of Suri except for attending the court proceedings and shall report to the Officer-in-charge of concerned police station once in a week until further orders.

In the event the petitioner fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

CRM 6181 of 2020 is disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)