

**04.09.2020**

**Item No. 8**

**Sdas**

**Allowed**

C.R.M. 6279 of 2020 (via video conferencing)  
with  
CRAN 1 of 2020(old no. CRAN 4799 of 2020)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Balurghat Police Station Case No. 188 of 2020 dated 05.06.2020 under Sections 376/506 of the Indian Penal Code.

And

In Re : Manish Pandey ..... petitioner

Mr. Sandipan Ganguly, Sr. Adv.

Mr. Pawan Gupta

Mr. A. Rai

.....for the petitioner

Mr. Ranabir Roychowdhury

....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.

Accordingly, application being CRAN 1 of 2020 (old no. CRAN 4799 of 2020) is disposed of.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission made on behalf of the petitioner that there is delay in lodging F.I.R. and in view of the period of detention suffered by the petitioner i.e. 91 days, we are of the opinion that petitioner may be granted bail.

Accordingly, we direct that the petitioner shall 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 Chief Judicial Magistrate, Dakshin Dinajpur at Balurghat subject to the condition that 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.

In the event the petitioner fails 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.

Learned appropriate trial court as well as all concerned authorities shall act in terms of the copy of the order downloaded from the official website of this Court.

**(Suvra Ghosh, J.)**

**(Joymalya Bagchi, J.)**