

10.09.2020

ssd

**CRM 6371 of 2020**  
**CRAN 1 of 2020**  
**(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda P.S. Case No.94 of 2020 dated 07.07.2020 under Sections 448/325/326/307/427/506/34 of the Indian Penal Code.  
And

In the matter of: **Amjad Shaikh.**

....Petitioner.

Mr. Asraf Mandal

...for the Petitioner.

Mr. Imran Ali

Mrs. Manasi Roy

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner says that he is in custody for more than 60 days in connection with an incident of July 6, 2020.

The State says that there is a long enmity between the petitioner and his immediate relatives and another group of persons. The disputes pertain to a piece of land. The State says that the petitioner herein is the principal accused and he assaulted one person with a hansua.

Considering the nature of the incident and the extent of the injury, the petitioner would otherwise have been entitled to bail. However, since the petitioner carried a hansua to the residence of the survivor and used the same, there appears to be an element of

intent written all over his action. If the petitioner is to be released, certain stringent conditions need to be imposed.

The petitioner will not enter any place within the jurisdiction of Nowda P.S. till the investigation is completed. The petitioner will report to the investigating officer once a fortnight and as and when called, till the investigation is completed. In the event, the petitioner is named in the charge-sheet, the petitioner must attend the trial without fail and any unexplained absence will entitle the trial court to cancel the bail.

Subject to the above, the petitioner will be enlarged on bail upon furnishing security of Rs.10,000/- (Rupees ten Thousand only) together with two sureties of like amount each, one of whom must be local, to the satisfaction of the appropriate court in Murshidabad.

CRM 6371 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)