

06.10.2020
Court No. 8
Item No. 5
bdatta

CRM 6756 of 2020
in
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 Khargram Police Station Case No. 144 of 2020 dated 13.05.2020 under Sections 341/302/34 of the Indian Penal Code.

and

In the matter of: Samim Aktar Mallick @ Samim Akter Mollick.

..... Petitioner

Ms. Minati Gomes,
Mr. Somnath Adhikary.

.....for the Petitioner

Mr. Ranabir Roy Chowdhury.
Mr. Mainak Gupta.

..... for the State

The learned advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per 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 accusation against the petitioner is, inter alia, under Section 302 of the Indian Penal Code. The occurrence took place on 12th May, 2020. The petitioner is in custody for 142 days. The FIR was lodged on 13th May, 2020 against the alleged offenders. The petitioner is one of them. However, the charge-sheet was submitted on 3rd August, 2020. The petitioner is a co-accused. The supplementary charge-sheet was submitted on 13th September, 2020.

Investigation is complete. There is nothing on record to show that the petitioner will interfere with the witnesses or tamper with evidence or flee from justice and in those circumstances, we allow this application for bail.

The petitioner will be released on bail upon furnishing security of Rs. 10,000/- (Rupees Ten Thousand) together with

personal release bond of equivalent value to the satisfaction of the appropriate Court in Murshidabad. The petitioner must, however, attend on every date fixed for trial and in the event of failing to do so, the trial Court shall be at liberty to cancel the bail of the petitioner without any reference to this Court.

CRM 6756 of 2020 and the interim application filed therein are disposed of.

(I. P. Mukerji, J.)

(Hiranmay Bhattacharyya, J)