

18.09.2020
tkm
sl no. 22

C.R.M. 6873 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. 247 of 2019 dated 10.9.2019 under Sections 447/302/120B/34 of the Indian Penal Code and sections 25/27 of the Arms Act

And

Allowed

In Re : Bapi Sk @ Mondal petitioner

Mr. D Banerjee

..... for the petitioner

Mr. Swapan Banerjee

Ms. P Ghosh

..... 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, the application being CRAN 1 of 2020 is disposed of.

Petitioner renews his prayer for bail and it is submitted that he is in custody for 300 days. Co-accused Ekarul Sk has been granted bail.

Learned lawyer for the State opposes the prayer for bail and submits that prayer for bail of the petitioner was rejected earlier.

Having considered the materials on record and bearing in mind the fact that co-accused Ekarul Sk has been enlarged on bail, we are inclined to extend the same privilege to the petitioner also on principle of parity.

Accordingly, the petitioner 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 CJM, Berhampore, Murshidabad on condition that the 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 being CRM 6873 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)