

18.09.2020
tkm
sl no. 25

C.R.M. 6879 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 Sankrail P.S. Case No. 174 of 2020 dated 24.2.2020 under Sections 302 of the Indian Penal Code
And

Allowed

In Re : Bablu Adhikari @ Bhombal petitioner

Mr. S. Lahiri

..... for the petitioner

Mr. S Bapuli

Mr. Arani Bhattacharyya

..... 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 is in custody for 204 days and it is submitted on behalf of the petitioner that the victim had passed lurid comments against his wife and there was a free fight. There is no direct evidence with regard to murder.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner was seen with the victim immediately prior to the incident.

We have considered the materials on record including the statement of the witnesses who also speak of a quarrel ensuing between the parties.

Bearing in mind the facts and circumstances of the case and the period of detention suffered by the petitioner we are inclined to grant bail to the petitioner.

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, Howrah 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 6879 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)