

19-10-2020
Subha
Item no.26
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 7159 of 2020

Bidhan Kumar Mandal @ Bidhan Mandal

-vs-

The State of West Bengal

With

CRAN 1 of 2020

(Via video conference)

In Re: An application for bail under Section 439 Cr.P.C in connection with Baishnabnagar P.S. Case No.54 of 2013 dated 05.03.2013 under sections 364/302/201/34 of the Indian Penal Code.

Mr. Dipayan Kundu
Mr. Avinaba Patra

...for the petitioner.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking.

In spite of more than one opportunity, none appears for the State. This is a case under Section 302 of the Indian Penal Code. The incident occurred on 5th March, 2013. Charge-sheet was submitted on 31st December, 2013. The petitioner is in custody for 164 days.

What is more important is that four co-accused are enlarged on bail. The F.I.R does not name the petitioner. This submission of the learned advocate for the petitioner stands uncontroverted.

In these circumstances, we allow the prayer for bail of the petitioner.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only) together with personal release bond of equivalent value to the satisfaction of the appropriate court, Malda. 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 the court.

Accordingly, the application for bail, being CRM No.7159 of 2020 and CRAN 1 of 2020 are disposed of.

[Md. Nizamuddin, J]

[I. P. Mukerji, J]