

01-10-2020
Subha
Item no.9
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 7328 of 2020

Bikash Sarkar

-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 Balurghat P.S. Case No.182 of 2020 dated 01-06-2020 under sections 342/323/325/386/379/364(A)/420/120B of the Indian Penal Code.

Mr. Sandipan Ganguly, Sr. adv.

Ms. Bushra Khatoon

...for the petitioner.

Mr. Sudip Ghosh

Mr. Apurba Kumar Dutta

... for the State.

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. Accordingly, CRAN No.1 of 2020 is disposed of.

It is submitted by Mr. Ganguly, learned senior advocate appearing for the petitioner that one Manish Pandey has already granted bail by a Co-ordinate Bench of this court on 9th September, 2020 passed in CRM 6322 of 2020. It is further contended on behalf of the learned senior advocate for the petitioner that the present petitioner is on a better footing than Manish Pandey.

The learned advocate appearing for the State opposes the prayer for bail and submits that there are statements implicating the petitioner and the petitioner is thickly connected with the offence.

We have considered the memo of evidence which also includes the statement under Section 161 of the Cr.P.C as well as the seizure list and on going through the nature of allegations, we are of the opinion that further detention of the petitioner is unwarranted in the facts and background of the case.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Balurghat, subject to the condition that the petitioner shall meet the officer-in-charge of Balurghat P. S. once in a week and the petitioner shall not leave the jurisdiction of Balurghat P. S. until further orders.

In the event, the petitioner fails to comply with the conditions as enshrined hereinabove, it is open to the trial court to cancel the bail without any further reference to this court.

Accordingly, the application for bail, being CRM No. 7328 of 2020, is disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

[Subhasis Dasgupta , J]

[Samapti Chatterjee, J]

