

01.10.2020

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**CRM 7339 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 Manikchak P.S. Case No.91 of 2020 dated 21.02.2020 under Sections 302/34 of the Indian Penal Code.

And

In the matter of: **Srikanta Mahaldar.**

....Petitioner.

Mr. Mounick Ghosh

...for the Petitioner.

Mr. Madhusudan Sur

Mr. Dipankar Paramanick

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that though the initial complaint was lodged by the father of the victim on the basis of what the victim allegedly told the father, the petitioner was not named in the complaint by the father. However, subsequently, the petitioner has been arrested in connection with the case.

There was a murder. From the present accounts it appears that the victim was administered poison and was also beaten up.

The State says that the victim had an affair with a woman but refused to marry such woman. It was such woman who masterminded the act of revenge that culminated in the death of the victim. The petitioner says that the concerned lady has been enlarged on bail. The State says that it is the case of the mother of

the victim that the victim blurted out certain names before dying and this petitioner's name was taken at such time.

Since there may have been an anomaly in the complaint and the versions of the de facto complainant and his wife differ, the further custodial interrogation of the petitioner may not be necessary at this stage. The petitioner is entitled to bail, but he will not leave the jurisdiction of Manikchak Police Station without the leave of the trial court.

The petitioner will be enlarged on bail upon furnishing security of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of equal amount, one of whom must be local, to the satisfaction of the appropriate court in Malda.

CRM 7339 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)