

01.10.2020

BP/BR
Sl.16

CRM 7376 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Duttapukur Police Station Case No. 02 of 2020 dated 01.01.2020 under Sections 302/34 of the Indian Penal Code.

In the matter of : Swapan Biswas...petitioner

Mr. Angshuman Chakraborty
Mr. S.S. Saha
..for the petitioner.
Mr. Madhusudan Sur
Mr. Dipankar Pramanick
..for the State.

Mr. Angshuman Chakraborty, learned advocate for the petitioner submits that Other accused persons have already been granted bail by a co-ordinate bench of the court in CRM 6082 of 2020. Since the petitioner is on the same footing, the petitioner should be granted bail.

Mr. Madhusudan Sur, learned advocate for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime and in view of the

period of detention suffered by the petitioner and as the co-accused persons have been enlarged on bail, we are inclined to grant same privilege to the petitioner also. Under the aforesaid circumstances, we are inclined to grant bail to the petitioner.

Let the petitioner 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 CJM, North 24 Parganas, Barasat subject to the condition that during bail the petitioner shall appear before the learned trial court regularly till disposal of the trial and the petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever,

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

The application for bail being C.R.M. 7376 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Subhasis Dasgupta, J.)

