

05.10.2020

Item No.13

Ct.No.11

P.J & S.M

C.R.M. 7432 of 2020
(I.A No. CRAN 1 of 2020)
(Through 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. 88 of 2020 dated 20.02.2020 under Sections 448/323/325/326/307/354/379/34 of IPC (G.R. Case No. 901 of 2020.

And

In the matter of : Md. Tarimul @ Taremul
... Petitioner.

Mr. Amitava Karmakar,
Mr. Arup Bhowmick,
.... For the petitioner.

Mr. Binay Panda,
Ms. Pushpita Saha ,
..... 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.

Learned advocate for the petitioner submits that the petitioner is in custody for more than 25 days. Charge-sheet has already been submitted. The petitioner is no way connected in the present case. Therefore, the petitioner should be granted bail .

Mr. Panda, learned advocate appearing for the State, opposes the prayer for bail and submits memorandum of evidence and injury report.

Considering the injury report, in our considered view, the accused/petitioner should be released on bail.

Accordingly, the petitioner shall be released on bail upon furnishing 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 Additional Chief Judicial Magistrate, Malda, subject to the condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall meet the Officer-in-Charge of Manikchak Police Station once a week.

The Trial Court is directed to see that if the petitioner is absent on any flimsy ground and the trial of the case is impeded or the petitioner creates any obstruction in the progress of the trial, then the Trial Court shall be at liberty to cancel the bail of the petitioner in accordance with law without further reference to this Court.

The application being CRM 7432 of 2020 and CRAN 1 of 2020 are disposed of.

(Aniruddha Roy, J.)

(Samapti Chatterjee, J.)