

05-10-2020
k.b/b.r.
Item no.15
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 7471 of 2020
Sajibul Mondal @ Mandal @ Sk.@ Sajibul Islam
-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 Domkal P.S. Case No. 339 of 2020 dated 09.07.2020 under Section 498A/313 of the Indian Penal Code.

Mr. M. Chatterjee
Md. G.N. Imrohi ...for the petitioner.

Mr. Tanmoy Kumar Ghosh
Mr. Arindam Sen ... 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.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for about fifty days and as charge sheet has already been submitted, further detention may not be warranted.

Learned advocate for the State produces the memo of evidence as well as the injury report.

We have perused the allegations made in the First Information Report as well as the bed head ticket issued by the Government Hospital at Domkal, Murshidabad.

We find that so far as the allegation made under Section 313 of

the Indian Penal Code is concerned, the same is after a considerable period of time and there were no allegations made against the present petitioner or his relations before the doctor.

Having considered the period of detention of the present petitioner and the fact that charge sheet has already been submitted, we are of the opinion that the petitioner may be released on bail.

Accordingly, the petitioner shall be enlarged on bail subject to the satisfaction of the learned Chief Judicial Magistrate, Berhampore upon furnishing a bond of Rs.10,000/-(Rs. Ten thousand only) with two sureties of like amount, one of whom must be local and on condition that the petitioner shall not tamper with the evidence and/or intimidate the witness. The petitioner shall meet with the Officer-in-Charge of Domkal Police Station once in a fortnight until further orders.

Accordingly, the application for bail, being CRM No. 7471 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.

[Tirthankar Ghosh, J.]

[Subrata Talukdar, J.]

