

17.11.2020
SL No.13
Court No.12
(GB)

CRM 7690 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 in connection with **Malda** P.S. Case No.**222/2020** dated **16.04.2020** under Sections **498(A)/306** of the Indian Penal.

And

In the matter of: **Surojit Karmakar.**

....Petitioner.

Mr. Atish Biswas,
Mr. Jakir Hossain.

...for the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Dan.

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated.

The learned Counsel for the State however opposes the prayer for bail.

It is submitted that the statement of independent witnesses recorded under Section 161 of the Code of Criminal Procedure would show that the petitioner used to assault the victim.

The petitioner is in custody for 215 days. Charge-sheet has already been filed.

Considering the nature of allegation and in view of the fact that the protracted period of detention suffered by the petitioner

and as there is no progress in the matter we inclined to grant bail to the petitioner subject to the condition stated hereinafter.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Sessions Judge, Malda, and to comply with the provision of Section 437(3) of the Code of Criminal Procedure and shall appear before the learned trial court on all future dates of trial.

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 further reference to this Court.

Accordingly, the application for bail being CRM 7690 of 2020 along with the connected application are disposed of.

All parties are to act on a website copy of this order on the usual undertaking.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J.)