

13.10.2020

CRM 7778 of 2020

COURT NO. 12
ITEM NO. 09
snandy

(BAIL - ALLOWED)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.09.2020 in connection with Belgharia Police Station Case No. 399 of 2020 dated 24.08.2020 under Sections 498A/302/34 of the Indian Penal Code.

And

In the matter of : **Nanda Dulal Saha**

...Petitioner

Mr. Husen Mustafi, Advocate

...for the Petitioner

Mr. Partha Pratim Das, Advocate

...for the State

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

Learned Advocate for the petitioner submits that the petitioner is innocent and is in no way connected with the commission of the alleged offence.

Learned Advocate of the State opposes the prayer for bail.

Having considered the materials on record and the statement of the child recorded under Section 161 of the Code of Criminal Procedure and having regard to the extent of complicity of the petitioner and also considering the the length of detention of the petitioner in custody, we are inclined to release the petitioner on bail.

Accordingly, the petitioner, namely **Nanda Dulal Saha**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local to the satisfaction of learned Additional Chief Judicial Magistrate, Barrackpore, subject to the condition as enshrined under Section 437(3) of the Code of Criminal Procedure with further condition that the petitioner shall meet the Investigation Officer once a week.

In the event, the petitioner fails to comply with the conditions as envisaged in this order, it is open to the trial Court to cancel the bail

without making any reference to this Court.

The application being **CRM 7778 of 2020** for bail is thus **allowed**.

(Saugata Bhattacharyya, J)

(Soumen Sen, J)