

13.10.2020  
tkm  
sl no. 18

**C.R.M. 7804 of 2020  
(via video conference)**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Junput Coastal P.S. Case No. 19 of 2020 dated 23.2.2020 under Sections 341/323/325/307/506 of the Indian Penal Code added section 302 IPC

And

**Allowed**

In Re : Saroj Mondal

..... petitioner

Mr. Sekhar Kr. Basu, Sr. Adv  
Mr. B Manna

..... for the petitioner

Mr. B Panda  
Ms. P Saha

..... for the State

Petitioner is in custody for 112 days. It is submitted on behalf of the petitioner that the incident occurred in the course of sudden altercation and the petitioner had pushed the deceased who had fallen down on a rock.

Learned lawyer for the State opposes the prayer for bail and submits that eye-witnesses stated that the deceased was assaulted by the petitioner.

We have considered the materials on record. We note that there was a sudden altercation between the parties over demand of money. Keeping in mind the aforesaid attending facts and circumstances and the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner 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 ACJM, Contai on condition that the petitioner shall appear before the trial court on every date of hearing until further orders and

shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application being CRM 7804 of 2020 is disposed of.

**(Moushumi Bhattacharya, J.)**

**(Joymalya Bagchi, J.)**