

20.10.2020
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CRM 8034 of 2020
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sankrail P.S. Case No.791 of 2016 dated 20.09.2016 under Sections 341/326/307/302 of the Indian Penal Code.

And

In the matter of: Laxmikanta Roy @ Ray

....Petitioner.

Mr. Dev Kumar Sharma

...for the Petitioner.

Mr.Sudip Ghosh

Mr. Bitasok Banerjee

...for the State.

Petitioner is in custody for more than 1000 days. It is submitted that the incident occurred in course of a domestic quarrel. Trial has not commenced as yet.

Learned lawyer for the State opposes the prayer for bail and submits that there are ample materials connecting the petitioner with the alleged murder.

We have considered the materials on record in the light of the submission that the incident occurred in a quarrel and was a pre matured one. Petitioner is in custody of a long time. Under such circumstances, we are inclined to grant bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a 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 CJM, Howrah subject to condition that the petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Md. Nizamuddin, J.)

(Joymalya Bagchi, J.)