

20.10.2020
tkm
sl no. 33

**C.R.M. 8184 of 2020
(via video conference)**

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gazole P.S. Case No. 212 of 2019 dated 19.6.2019 under Section 302 of the Indian Penal Code
And

Allowed

In Re : Parimal Kishku petitioner

Ms. I Biswas

..... for the petitioner

Mr. S Bapuli

Mr. P Ganguly

..... for the State

It is submitted on behalf of the petitioner that the incident occurred in the course of a sudden quarrel amongst family members. He is in custody for more than 400 days.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner hit his father with a bamboo stick. As a result, the latter died.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that the incident occurred in the course of a sudden quarrel and the petitioner had retaliated as his father was seeking to assault his mother, we are of the opinion in the facts and circumstances of the case further detention of the petitioner is not necessary and he may be granted bail.

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 CJM, Malda 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 8184 of 2020 is disposed of.

(Md. Nizamuddin, J.)

(Joymalya Bagchi, J.)