

C.R.M. 8224 of 2020
(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Bhagwangola P.S. Case No. 184 of 2020 dated 02.05.2020 under sections 341/325/326/307/506/34/302 of the Indian Penal Code.

And

In the matter of : Insan Sk

Mr. Md. Sabir Ahmed
Mr. Ali Hasan Alamgir

... ... for the petitioner

Mr. Saibal Bapuli, APP
Ms. Sayanti Santra

... ... for the State

It is submitted on behalf of the petitioner that there is a long-standing enmity between the parties. Victim died one month after the incident. Petitioner is in custody for 132 days.

Learned lawyer for the State opposes the prayer for bail and submits that offending weapon was recovered on the leading statement of the petitioner.

Having considered the materials on record and keeping in mind the facts and circumstances of the case in the light of the aforesaid submission relating to pre-existing enmity and the time gap between the incident and the death of the deceased, we are inclined to grant bail to the petitioner.

Accordingly, 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 Additional Chief Judicial Magistrate, Lalbagh, Murshidabad subject to the 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 the petitioner fails to do so 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, thus, 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.)