

21.10.2020
SL No.10
AP

CRM 8301 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Howrah** P.S. Case No.**219 of 2020** dated **26.06.2020** under Sections **302/120B/34** of the Indian Penal Code.

And

In the matter of: **Kabita Dubey & Anr.**

....Petitioners.

Mr. Sandipan Ganguly, Senior Advocate,
Mr. Amit Pan,
Mr. Arindam Dey

...for the Petitioners.

Mr. Rana Mukherjee,
Mr. Santanu Chatterjee

...for the State.

Having considered the materials on record disclosing prima facie involvement of the petitioner No.1 in striking the blow on the deceased resulting in his death, we are not inclined to grant bail to the petitioner No.1.

However, keeping in mind the extent of complicity of the petitioner No.2 in the alleged crime and bearing in mind the period of detention already suffered by him i.e. about 117 days, we are inclined to grant bail to the petitioner No.2.

Let the petitioner No.2, namely Vishal Dubey, 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 Chief Judicial Magistrate, Howrah subject to the condition that during bail the petitioner No.2 shall appear before the learned trial court regularly till disposal of the trial and the petitioner No.2 shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner No.2 fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, disposed of.

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

(Abhijit Gangopadhyay, J.)

(Joymalya Bagchi, J.)