

21.10.2020
SL No. 71
Sdas
allowed

**CRM 8407 of 2020
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhadreswar Police Station Case No. 392 of 2016 dated 16.10.2016 under Sections 302/34 of the Indian Penal Code.

And

In Re : Rajib Asraf @ Raju petitioner

Mr. Bitasok Banerjee
.....for the petitioner

Mr. N. Ahmed, learned A.P.P.
....for the State

Having considered the materials on record and keeping in mind the extent of complicity of the petitioner in the alleged crime and as co-accused has been enlarged on bail and in view of period of detention already suffered by the petitioner i.e. over three years, we are inclined to extend the same privilege to the petitioner.

Accordingly, we direct that 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, Chandannagore, Hooghly, 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 the witnesses and/or tamper with evidence in any manner whatsoever.

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

The application for bail is, accordingly, allowed.

(Abhijit Gangopadhyay, J.)

(Joymalya Bagchi, J.)