

ADDL 7.
December 1, 2020.
SG

CRM 8471 of 2020
IA No.CRAN 1 of 2020

In Re. An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Police Station Case No.100 of 2020 dated 28.05.2020 under Section 302 of the Indian Penal Code.

In the matter of: Kiran Roy

...petitioner.

Mr Partha Sarathi Das

... for the petitioner.

Mr Saibal Bapuli
Mr Soumik Ganguli

... for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner says that there is no direct involvement of the petitioner that the investigating agency has been able to establish on the basis of the statements of witnesses.

There is a statement of a co-accused which implicates this petitioner, but the same cannot be given much credence. Besides that, there is a statement of a witness claiming that this petitioner was one of the four or five persons who had picked up a *dan* and a hammer, presumably to fell the branches of the trees which had fallen down in a storm so that the path could be cleared. Such witness claims to have later learnt that the *dan* was used to murder the victim. Such

statement cannot be the basis for the continued detention of the petitioner, particularly as the charge-sheet has been filed.

Considering the material against the petitioner, his further detention does not appear to be justified.

The petitioner will be enlarged on bail upon furnishing a security of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the appropriate court in Nadia. The petitioner will attend every date fixed for trial and any unexplained absence will entitle the trial court to cancel the bail without reference to this court.

CRM 8471 of 2020 along with CRAN 1 of 2020 stand disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)

