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CRM 8705 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raghunathgunj P.S. Case No.542 of 2019 dated 16.09.2019 under Sections 302/34 of the Indian Penal Code.

And

In the matter of: Jakir Sk. @ Jaku Sk.

....Petitioner.

Mr. Mrityunjay Chatterjee

...for the Petitioner.

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

...for the State.

It is submitted on behalf of the petitioner that he is in custody for 430 days. Co-accused Shul Chand Sekh has been granted bail.

Learned lawyer for the State opposes the prayer for bail and submits that trial is at its fag end.

Having considered the materials on record and bearing in mind the facts and circumstances of the case and the extent of complicity of the petitioner in the alleged crime and as the petitioner stands on the same footing with the co-accused Shul Chand Sekh by a co-ordinate bench of this Court and in the light of the period of detention suffered by the petitioner, we are inclined to grant the same privilege to the petitioner also.

Accordingly we direct that the petitioner shall 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 ACJM, Jangipur, Murshidabad subject to

condition that the petitioners 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 fail to appear before the trial court 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, accordingly, allowed.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)