

05.11.2020

Item no. 15

Ct.8

SSI/CHC

Allowed

**C.R.M. No.8838 of 2020
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Egra Police Station Case No. 427 of 2020 dated 22.08.2020 under Sections 341/325/354/307/379/506/34 of the Indian Penal Code.

And

In the matter of:-

Sk. Badshah @ Sk. Badsah @ Sk. Badsaha
@ Sk. Saiful Ali

... Petitioner

Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani

.. for the petitioner

Mr. Swapan Banerjee,
Mirza Firoj Ahmed Begg

..for the State

Learned advocate for the petitioner submits that the petitioner is in custody for about 75 days and there is a case and counter case between the parties.

Learned advocate further submits that one of the relations of the petitioner was murdered for which a separate case has been initiated at the instance of the relations of the present petitioner and the present case is a counter-blast to the said murder case.

Mr. Banerjee, learned advocate, holding the brief of Ms. Zareen Khan, learned advocate draws the attention of this Court to the injury reports and submits that as the investigation is in progress, further custodial detention of the petitioner is not warranted.

We have perused the materials on record which includes the Case Diary as well as the observations made by the learned court below in respect of other case. On appreciation of the same, we are of the opinion that further detention of the petitioner is unwarranted in connection with the instant case. Accordingly, the prayer for bail of the petitioner is allowed.

The petitioner shall furnish 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 A.C.J.M, Contai and on condition that the petitioner shall not tamper with the evidence and/or intimidate the witnesses.

It is further directed that the petitioner shall meet the Investigating Officer of the case once in a week until further orders.

With these observations, CRM 8838 of 2020 is disposed of.

Learned appropriate Trial Court as well as all concerned authorities shall act in terms of the copy of the order downloaded from the official website of this Court.

(Ashis Kumar Chakraborty, J.)

(Tirthankar Ghosh, J.)