

November 12, 2020
srn/ARDR
(Serial No. 11)
Allowed

CRM 9011 of 2020

(Via Video Conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ghatal Police Station Case No. 302/2019 dated 16/09/2019 under Sections 341/323/325/307/447/506/34 of the Indian Penal Code.

In Re : Himadri Shekhar Dolai @ Haru Dolai & ors.

... petitioners

Mr. Arindam Jana,

Mr. Arun Kumar Chakraborty

.....for the petitioners

Mr. Apurba Kumar Datta,

....for the State.

The non-bailable provision brought against the petitioners is under Section 307 of the Penal Code.

Though the State claims that a previous prayer of these petitioners was rejected, the petitioners point out that a prayer for anticipatory bail had been rejected and not a prayer for regular bail.

The State produces the medical report from which it appears that there was no obvious bone injury to the survivor.

Considering such report and the nature of the incident, the further detention of the petitioners may not be necessary as long as they do not attempt to make any contact with the survivor till the conclusion of the trial.

The petitioners will be enlarged on bail upon furnishing security of Rs.10,000/- (Rupees Ten thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the appropriate Court in Paschim Burdwan.

The petitioners must attend every date fixed for trial and any unexplained absence will entitle the trial Court to cancel the bail of the defaulting petitioner without reference to this Court.

CRM 9011 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)