

12.11.2020
Sl. No.15
akd
[ALLOWED]

C. R. M. 9254 of 2020 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.11.2020 in connection with Mathabanga Police Station Case No. 239 of 2020 dated 13.07.2020 under Section 302 of the Indian Penal Code and subsequently charge-sheet submitted under Section 306 of the Indian Penal Code. (G.R. Case No.354 of 2020)

And

In Re: ***Suman Hossain @ Dipu Hossain***

... .. Petitioner

Ms. Suman Sehababis (Mandal) .. Advocate
... .. for the petitioner

Mr. Aditi Sabkar Chakraborty .. Ld. Addl. Public Prosecutor
Mr. Aniruddha Biswas .. Advocate
... .. for the State

The petitioner undertakes to appropriately 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 claims that though the case was started under Section 302 of the Indian Penal Code, it was later amended to Section 306 thereof. According to the petitioner, he stands on the same footing as Golapi Bibi who has been enlarged on bail by an order of October 15, 2020 by this court in CRM 7849 of 2020.

Since the State fairly submits that this petitioner stands on the same footing as Golapi Bibi, the prayer for bail is allowed.

The petitioner will 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 Additional Chief Judicial Magistrate, Mathabhanga. The petitioner will appear on every date fixed for trial and any unexplained absence will entitle the trial court to cancel the bail without reference to this court.

CRM 9254 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)