

02.12.2020

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Allowed

C.R.M. 9447 of 2020
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 329 of 2020 dated 14.09.2020 under Sections 376/506 of the Indian Penal Code.

And

In Re : Bani Israil @ Bani Esrafil @ Bani petitioner

Mr. Ali Ahsan Alamgir

.....for the petitioner

Mr. Madhusudan Sur, learned A.P.P.

Mr. Dipankar Paramanick

....for the State

Leave is granted to the learned Counsel appearing for the petitioner to correct the cause title.

Having considered the materials on record and bearing in mind the nature of allegation in the light of the submission that petitioner has been falsely implicated in the instant case over dispute of payment of salary and in view of period of detention suffered i.e. 73 days and as investigation is complete, we are inclined in granting bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad, subject to the conditions that petitioner 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 fails 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.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)