

17.12.2020.
28.
as
(Allowed)

C.R.M. 9758 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dinhata P. S. Case No.338 of 2020 dated 04.09.2020 under Sections 341/325/326/307/364/34 of the Indian Penal Code.

In the matter of : Uttam Kumar Barman @ Uttam Barman.
.... Petitioner.

Mr. Rameshwar Sinha,
Mr. Mostafijur Rahaman,
Syed Murshid Alam.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty,
Mr. Tapan Bhattacharjee.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

We have considered the materials on record including the injury report.

In view of the facts and circumstances of the case and the period of detention suffered by the petitioner i.e. three months and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, 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, Dinhata, Cooch Behar, subject to condition that the petitioner shall appear before the trial court on every date of hearing until

further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any 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, being C.R.M. 9758 of 2020, is disposed of.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)