

04.12.2020
Court No.3
SL No.21
AP

CRM 9826 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kalyani** P.S. Case No.**196 of 2020** dated **12.06.2020** under Sections **302/324/34** of the Indian Penal Code.

And

In the matter of: **Anil Yadav**

....Petitioner.

Ms. Minoti Gomes,
Mr. Partha Sarathi Das

...for the Petitioner.

Mr. Madhusudan Sur, Ld. A.P.P.,
Mr. Manoranjan Mahata

...for the State.

It is submitted on behalf of the petitioner that there was a family dispute between the parties and he has been falsely implicated in the instant case. It is also submitted on behalf of the petitioner that he is not the principal assailant and he is in custody for about 175 days.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner was preset at the spot and assisted the principal assailant i.e. Rambihari Yadav.

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner who does not appear to be the principal accused in the alleged crime and in view of the period of detention already suffered by the petitioner and as the investigation is complete, we are inclined to grant bail to the petitioner.

Let the petitioner 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 Learned Additional Chief Judicial Magistrate, Kalyani, Nadia subject to the condition that during bail the petitioner shall appear before the learned trial court regularly till disposal of the trial and the petitioner

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

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without any further reference to this Court.

The application for bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)