

04.12.2020
Court No.3
SL No.28
AP

CRM 9838 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kotwali** P.S. Case No.**650 of 2019** dated **28.10.2019** under Sections **341/325/326/307/302/34** of the Indian Penal Code.

And

In the matter of: **Sonu Thakur**

....Petitioner.

Mr. Rajdeep Mazumdar,
Mr. Pritam Roy,
Ms. Arushi Rathore

...for the Petitioner.

Mr. Rana Mukherjee,
Ms. Sujata Das

...for the State.

It is submitted on behalf of the petitioner that he had been shown arrested in this case and is in custody for about 60 days. Owing to political rivalry the petitioner has been falsely implicated in a series of criminal cases.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner's role in the murder had transpired in the course of further investigation and supplementary charge sheet was filed against him.

We have considered the materials on record. We note that the witnesses implicating the petitioner were examined belatedly in the course of further investigation. Delayed examination of the witnesses is to be assessed in the light of the plea of the petitioner with regard to false implication owing to political vendetta at the appropriate stage of the proceeding. We also note that the co-accuseds are on bail. In view of the aforesaid facts, 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 Chief Judicial Magistrate, Paschim Medinipur 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.)