

17.12.2020
Sl. No.49
akd
[ALLOWED]

C. R. M. 9846 of 2020

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.11.2020 in connection with Egra Police Station Case No. 437 of 2020 dated 28.08.2020 under Sections 302/201/34 of the Indian Penal Code. (G.R. Case No.833 of 2020)

And

In Re: **Deepak Mondal & Anr.**

... .. Petitioners

Mr. Anirban Mitra .. Advocate
Ms. Saberi Saha .. Advocate
Mr. Amit Halder .. Advocate

... .. for the petitioners

Mr. Sudip Ghosh .. Advocate
Mr. Apurba Kumar Datta .. Advocate

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about 113 days. It is further submitted that the victim died due to drowning.

Learned advocate appearing for the State opposes the prayer for bail.

Allegation of homicidal death may be considered in the light of the aforesaid submission made on behalf of the petitioners. In view of the aforesaid fact and bearing in mind the period of detention suffered by the petitioners and as investigation is complete, we are of the opinion that further detention of the accused/petitioners is not necessary.

Therefore, the accused/petitioners, namely **(1) Deepak Mondal & (2) Sabitri Mondal**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Contai, Purba Midnapore subject to condition that the said petitioners 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 they fail to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel their bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)