

15.12.2020
Sl. No.41
akd
[ALLOWED]

C. R. M. 9965 of 2020

[via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.11.2020 in connection with Kolaghat Police Station Case No. 479 of 2017 dated 21.11.2017 under Sections 498A/307/326 of the Indian Penal Code. (G.R. Case No.57 of 2018)

And

In Re: ***Rabindranath Bag @ Rabin***

... .. Petitioner

Mr. Suman De .. Advocate

... .. for the petitioner

Mr. Bidyut Kumar Ray .. Advocate

Ms. Rita Dutta .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about three years. It is further submitted that there is little possibility of the trial concluding in the near future.

Learned advocate appearing for the State opposes the prayer for bail and submits that the petitioner had brutally assaulted his wife over birth of girl child.

Allegation against the petitioner is grave. However, petitioner has suffered protracted period of undertrial detention. Balancing the gravity of the offence and right to speedy trial of the petitioner, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely ***Rabindranath Bag @ Rabin***, 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, Tamluk, Purba Medinipur subject to condition that the said 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 he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)