

56 16.12.2020
rkd Ct. No.28
(Allowed)

**C.R.M. 10023 of 2020
(Through Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Daspur** P.S. Case No. **182 of 2020** dated **05/06/2020** under Sections **448 /323 /325 /328 /302 /506 /34** of the Indian Penal Code.

And

In the matter of: Mukul Bhowmick & Anr.

....petitioners.

Mr. A. Karmakar,
Mr. A. Bhowmick

...for the petitioners.

Ms. Z. N. Khan,
Ms. S. Das

...for the State.

Petitioners are in custody for 150 days. It is further submitted that the victim suffered suicidal death.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

We have considered the materials on record. We note that the victim committed suicide as per the post mortem report. The allegation of murder, therefore appears, to be improbable. Under such circumstances including the period of detention suffered by the petitioner, we are inclined to grant bail to the petitioners.

Accordingly, the petitioners are directed to be released on bail upon furnishing a Bond of Rs. 10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Ghatal, Paschim Medinipur to the condition that during bail they shall appear before the learned trial court regularly till disposal

of the trial and they shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offence in future.

In the event the petitioners fail 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, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)