

09.12.2020
18
Sdas
allowed

**CRM 10028 of 2020
(via video conferencing)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnaganj Police Station Case No. 199 of 2020 dated 18.09.2020 under Sections 326A/506/34 of the Indian Penal Code.

And

In Re : Sukdeb Biswas @ Harekrishna Biswas petitioner

Mrs. Karabi Roy

.....for the petitioner

Ms. Sukanya Bhattacharya

Md. Kutubuddin

..... for the State

Learned Counsel appearing for the petitioner submits that there is no eye-witness to the incident. It is also submitted that petitioner is in custody for 91 days and investigation is complete.

Learned Counsel appearing for the State opposes the prayer for bail and submits that victim suffered acid burn injuries in his private parts.

We have considered the materials on record including the statement of the injured. It appears from his statement that he was sleeping at the time of the incident. In view of the facts and circumstances of the case and the period of detention already suffered by the petitioner and as investigation is complete, we are inclined in granting bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of

the learned Additional Chief Judicial Magistrate, Krishnagar, Nadia, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without further reference to this Court.

The application for bail is, accordingly, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)