

09.12.2020
Sl. No.35
akd
[ALLOWED]

C. R. M. 10064 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 Bharatpur Police Station Case No. 216 of 2020 dated 14.08.2020 under Sections 325/307 of the Indian Penal Code. (G.R. Case No.1132 of 2020)

And

In Re: **Subir Saha**

... .. Petitioner

Mr. Manas Kumar Das .. Advocate

... .. for the petitioner

Mrs. Sukanya Bhattacharya .. Advocate

Md. Kutubuddin .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 117 days and that investigation is complete.

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

Having considered the materials on record and bearing in mind the facts and circumstances of the case and in view of the period of detention suffered by the petitioner and as investigation is complete, we are of the opinion that further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Subir Saha**, 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, Kandi, Murshidabad 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.)