

51 18.12.2020
rkd Ct. No.28
(Allowed)

C.R.M. 10528 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dhubulia** P.S. Case No. **30 of 2016** dated **25/01/2016** under Sections **398/326/307/34** of the Indian Penal Code and under Sections **27** of the Arms Act and under Sections **3/4** of the E. S. Act.

And

In the matter of: Sagar Ghosh

....petitioner.

Mr. P. Majumder

...for the petitioner.

Mr. S. Banerjee,

Ms. P. Ghosh

...for the State.

Petitioner is in custody for about five years. It is further submitted that there is little possibility of the trial concluding in the near future.

Learned counsel appearing on behalf of the State opposes the prayer for bail and submits that petitioner fired at the victim with an intention to murder. Victim suffered gun shot injury.

We have considered the materials on record. Allegations against the petitioner are grave. However, in view of the period of detention suffered by the petitioner and as there is little possibility of the trial concluding in the near future, we are inclined to grant bail to the petitioner, however, subject to strict restrictions.

Accordingly, the petitioner is directed to 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 during bail he shall appear before the learned trial court regularly and he shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that he shall remain within the jurisdiction of Krishnagar P.S. except for attending the court proceedings and shall provide the address where he shall presently reside to the investigating officer as well as the court below and shall report to the Officer-in-charge of concerned Police Station once in a week until further orders.

In the event the petitioner fails 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.)