

22.12.2020
60
Sdas
allowed

**CRM 10620 of 2020
(via video conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Police Station Case No. 142 of 2020 dated 12.07.2020 under Sections 302/34 of the Indian Penal Code.

And

In Re : Bapi Biswas petitioner

Mr. Partha Sarathi Das

.....for the petitioner

Mr. Madhusudan Sur, learned A.P.P.

Mr. Dipankar Paramanick

..... for the State

Petitioner is in custody for 160 days.

Learned Counsel appearing for the petitioner submits that the incident occurred in the course of a sudden altercation.

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

Intention to murder the deceased may be considered in the light of the submission that there was a sudden fight without pre-meditation.

In view of the aforesaid facts including period of detention 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, Ranaghat, 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.)