

C.R.M. 10638 of 2020

(Through Video Conference)

In the matter of : An application for bail under section 439 of the Code of Criminal Procedure in connection with Labpur P.S. Case No. 29 of 2019 dated 14.02.2019 under sections 448/363/365/177/364/120B of the Indian Penal Code and sections 25/35 of the Arms Act.

And

In the matter of : Jiban Kumar Dalui @ Jiban Dalui

Mr. Sujoy Sarkar

... ... for the petitioner

Mr. Sudip Ghosh

Mr. Apurba Kr. Datta

... ... for the State

Petitioner is in custody for 72 days. Victim has been recovered. Petitioner prays for bail.

Learned lawyer for the State opposes the prayer for bail and submits that petitioner had kidnapped the victim at the behest of the co-accused, that is, her own father.

We have considered the materials on record. In view of the facts and circumstances of the case and as the victim has already been recovered, we are inclined to grant bail to the petitioner.

Accordingly, 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, Bolpur, Birbhum 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 witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to do so without justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this court.

The application for bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)