

CRM 11293 of 2020
(Through Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda P.S. Case No.590 of 2020 dated 13.10.2020 under Sections 188/353/332/333/506/34 of the Indian Penal Code.

And

In the matter of: **Samir Ghosh**

.... Petitioner

Mr. Kazi Mokhlasur Rahman

... For the Petitioner

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

... For the State

The petitioner submits that he is innocent in connection with the criminal proceeding initiated against him and he pleads not guilty. It is further submitted that he is in custody for a period of 80 days and he prays for bail.

Learned counsel representing the State opposes the prayer for bail and draws our attention to the relevant part of the case diary produced before us.

Considering the materials available on record and the materials collected from the case diary and considering the nature of offence and extent of complicity in the commission of alleged offence, we are of the view that custodial interrogation of the petitioner is not necessary at this stage. Moreover, charge sheet has already been filed against the petitioner.

In view of the above, the petitioner shall 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 Chief Judicial Magistrate, Malda, subject to the conditions contained in Section 437(3) of the Code of Criminal Procedure.

The petitioner is required to attend on every date fixed for trial. In the event the petitioner does not comply with the conditions as stipulated above, the court below shall be at liberty to cancel the bail without any further reference to this Court.

CRM 11293 of 2020 is allowed.

Urgent photostat certified copy of this order, if applied for, be made available to the petitioner upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)

(Saugata Bhattacharyya, J.)