

13.01.2020
tkm/ct 28
sl no. 150

C.R.M. 369 of 2020

In Re : An application for bail under section 439 of the Code of Criminal Procedure filed on 10.1.2020 in connection with Bhaktinagar P.S Case no. 709 of 2019 dated 7.9.2019 under section 302 of the IPC

And

Allowed

In Re : Paresh Adhikary

..... petitioner

Mr. A. Banerjee

Mr. J Rudra

Mr. M Dutta Majumder

..... for the petitioner

Mr. A K Maity

Mr. S Bardhan

Ms. Trina Mitra

..... for the State

Petitioner is in custody for 130 days and it is submitted on behalf of the petitioner that the incident occurred in the course of sudden quarrel amongst family members. Investigation is complete.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner stabbed the victim resulting in his death.

Having considered the material in the case diary and bearing in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner relating to the circumstances giving rise to the alleged incident and in view of the period of detention suffered by the petitioner and as

investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioners 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 CJM, Jalpaiguri on condition that the petitioner shall appear before the trial court on every date of hearing 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 being CRM 369 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)