

08.01.2021

Item no.11

Ct.5

CHC

Allowed

C.R.M. No.90 of 2021

(Physical Hearing)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Daspur Police Station Case No. 418/2020 dated 22.10.2020 under Sections 447/ 323/ 325/ 307/ 354B/ 379/ 506/ 23 of the Indian Penal Code.

And

In the matter of:-

Susanta Hait & anr.

... Petitioners

Mr. Arup Kumar Bhowmick

.. for the petitioners

Mr. Saswata Gopal Mukherjee, Ld. P.P.

Ms. Zareen N. Khan,

Ms. Sreeparna Das

..for the State

This relates to prayer for bail.

Learned advocate, Mr. Bhowmick for the petitioners seeks bail on the ground of long detention for about 70 days together with a property dispute pending between the parties leading to the institution of a counter case.

Learned Additional Public Prosecutor, Ms. Das raises objection against the prayer for bail that victim was attempted to be killed with use of a nylon rope, and the impression left on the neck of the victim could be found by the doctor while examining the victim. The investigation, according to the prosecution is still in progress.

This is a case of assault between neighbours. There is also property dispute pending between the parties. There is also existence of a counter case between parties.

Having considered the materials already collected in the C.D. in context with the submission of both sides and bearing in mind that the victim found her discharge from the hospital soon after she was medically examined, and the period of detention already undergone together with the progress of investigation, already reached, we are persuaded to grant bail to the petitioners.

Accordingly, petitioners (Susanta Hait and Asish Hait) may find bail of Rs.10,000/-(Rupees Ten Thousand only) each, with two sureties of like amount each subject to the satisfaction of Learned Additional Chief Judicial Magistrate, Ghatal, Paschim Medinipur.

C.D. be returned.

With these observations, **CRM 90 of 2021** stands **disposed of**.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)