

14.01.2021
Item No.33
Ct.No.28
dc.
Allowed

C.R.M. 299 of 2021
(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Budhadeb Tunga ... Petitioner.

Mr. Prabir Kumar Mitra ... For the Petitioner.

Mr. Saibal Bapuli,
Mr. Arani Bhattacharyya ... For the State.

The present application under Section 439 of the code of Criminal Procedure has been preferred by the petitioner in connection with Chandipur P.S. Case No. 189 of 2020 dated 08.08.2020 under Sections 302/201 of the Indian Penal Code.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated and he is in custody for 160 days. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the period of custody and the nature of allegations, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we direct that 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, Tamluk and on further condition that the petitioner shall meet with the Officer-in-Charge of Chandipur Police Station once a week on and from 20.01.2021, until further orders.

The application for bail being CRM 299 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)